

INCORPORATED BY ROYAL CHARTER, A.D. 1720

FIRE. LIFE. SEA.

ACCIDENTS.

BURGLARY.

EMPLOYERS'  
LIABILITY.

Apply for further information to

W. N. WHYMPER, Secretary.

HEAD OFFICE: ROYAL EXCHANGE, LONDON, E.C.

WEST END BRANCH: 29, Pall Mall, S.W.

THE LAW GUARANTEE AND TRUST  
SOCIETY, LIMITED,

FULLY SUBSCRIBED CAPITAL	-	-	£2,000,000
PAID-UP AND ON CALL	-	-	£200,000
RESERVES	-	-	£180,000

FIDELITY GUARANTEES OF ALL KINDS. ADMINISTRATION AND LUNACY BONDS. MORTGAGE, DEBENTURE, LICENSE, AND CONTINGENCY INSURANCE. TRUSTEESHIPS FOR DEBENTURE-HOLDERS, &amp;c.

HEAD OFFICE: 49, Chancery-lane, W.C. | CITY OFFICE: 56, Moorgate-street, E.C.

## X IMPORTANT TO SOLICITORS X

In Drawing LEASES or MORTGAGES of  
LICENSED PROPERTYTo see that the Insurance Covenants include a policy covering the risk of  
LOSS OR FORFEITURE OF THE LICENSE.Suitable clauses, settled by Counsel, can be obtained on application to  
THE LICENSES INSURANCE CORPORATION AND  
GUARANTEE FUND, LIMITED,  
24, MOORGATE STREET, LONDON, E.C.Mortgages Guaranteed on Licensed Properties promptly, without  
special valuation and at low rates.LEGAL AND GENERAL LIFE ASSURANCE  
SOCIETY.

ESTABLISHED 1836.

FUNDS	-	-	-	£3,900,000
INCOME	-	-	-	£467,000
YEARLY BUSINESS (1901)	-	-	-	£1,663,159
BUSINESS IN FORCE	-	-	-	£13,900,000

THE PERFECTED SYSTEM of Life Assurance is peculiar to this Society  
and embraces every modern advantage.

## PERFECTED MAXIMUM POLICIES.

WITHOUT PROFITS.

The Rates for these Whole Life Policies are very moderate.

Age	Premium	Age	Premium	Age	Premium
20	£1 7 8 %	30	£1 16 %	40	£2 10 %

## £1,000 POLICY WITH BONUSES

According to last results.

Valuation at 2½ p.c. — Hm. Table of Mortality.

Duration	10 yrs.	20 yrs.	30 yrs.	40 yrs.
Amount of Policy	£1,109	£1,438	£1,724	£2,067

Full information on application to

THE MANAGER, 10, FLEET STREET, LONDON.

VOL. XLVI., No. 47.

## The Solicitors' Journal and Reporter.

LONDON, SEPTEMBER 20, 1902.

\* The Editor cannot undertake to return rejected contributions, and  
copies should be kept of all articles sent by writers who are not on  
the regular staff of the JOURNAL.All letters intended for publication in the SOLICITORS' JOURNAL must  
be authenticated by the name of the writer.

## Contents.

CURRENT TOPICS	757	CONSUMING SOLICITORS' GOWNS	764
CAUSES OF ACTION	760	LEGAL NEWS	765
REVIEWS	761	WINDING UP NOTICES	768
NEW ORDERS, &c.	762	CREDITORS' NOTICES	766
REPORT OF COMMISSIONERS OF PRISONS	763	BANKRUPTCY NOTICES	767

## Cases Reported this Week.

Pope v. Pope	762
Da Costa v. Da Costa	762

## CURRENT TOPICS.

THE VACATION Cause List before Mr. Justice SWINFEN EADY  
on Wednesday last was again a very light one. His lordship  
rose shortly before two o'clock, having dispensed with the usual  
luncheon adjournment.It will be seen from the new Vacation notice, which we print  
elsewhere, that Mr. Justice JELF takes up the duty of Vacation  
Judge from Thursday last.

THE GREAT gown question has come into prominence owing  
to the alleged refusal of a county court judge to hear a solicitor  
who was unprovided with this piece of male millinery. We say  
"alleged," because we find it difficult to believe, notwithstanding  
the circumstantial accounts which have appeared in the papers,  
that the judge referred to took this extreme course. If he did,  
he certainly acted without justification. Even the learned judge  
of the High Court, who, to his horror, espied a white waistcoat  
peeping out of the folds of counsel's robes, did not adopt this  
method of dealing with the matter, but contented himself with a  
grave admonition. The practice of wearing gowns in county courts  
is probably increasing, and may be thought to add some dignity to  
the proceedings, but it would be both ridiculous and illegal to  
make the right of audience depend on compliance with a rule of  
etiquette. There has been some talk of the issue by the Council  
of the Incorporated Law Society of an edict in favour of the  
universal wearing of gowns in county courts; but we do not  
believe that the Council would consider it either advisable or  
within their jurisdiction to prescribe such a rule. The matter  
is best left to the good sense of county court judges and the  
solicitors who appear before them. If, as is stated, the county  
court judge in the recent case threatened to commit for contempt  
a solicitor who made a mildly impertinent observation, all we  
can say is to repeat what we have often urged—namely, that  
the use of this judicial weapon ought to be strictly limited by  
statute.

THERE WAS a rather interesting case tried at the Central  
Criminal Court on Saturday last, in which finger-prints were  
given in evidence in order to connect a prisoner with the crime  
with which he was charged. A house had been entered by  
burglars, and some billiard balls stolen. One of the burglars  
had left imprints of his fingers, and a particularly plain imprint  
of his left thumb, on the newly painted window sills. Sergeant  
COLLINS, an expert in finger prints, took photographs of  
the prints, and, on examining them with some prints in  
the possession of the police of the prisoner's fingers, he  
came to the conclusion that both were from the same hand.  
The jury were shown enlarged photographs of the three prints

—that taken some years ago and preserved amongst the records at Scotland Yard; that taken from the window-sill of the house which was broken into, and that taken in prison on the 30th of August. It was stated that no two individuals ever had the same finger-marks; that the corrugations on the human digits never altered from youth to old age; and that they were to be found after death, and even thousands of years after death, if decay had been prevented, as in the case of the Egyptian mummies. For facilitating reference, the finger-prints of criminals were divided and sub-divided into various classes and sub-classes, each known by a separate name, and so arranged that experts could not possibly confuse the one with the other. Thus, if Sergeant COLLINS had brought to him a finger-print which he had never seen before, he would know at once to what division and sub-division it belonged, and could at once proceed to a particular pigeon-hole, where he would be certain to find the identical print if it was among the records at all. On this evidence mainly the prisoner was convicted. The practice of taking finger-prints for the purpose of identifying habitual criminals was, we believe, one of the methods introduced by M. BERTILLON and adopted in France, and it was stated at the trial that it had been extensively practised in India. One does not hear much of the practical results of section 8 of the Penal Servitude Act of 1891, which enables the Secretary of State to make regulations for the measuring and photographing of all prisoners who may for the time being be confined in any prison. In France, for the purpose of measurement, the criminals are divided into three classes—short, middle-sized, and tall—and each of these classes is sub-divided into three sub-classes according to the measure of the head, and again into sub-classes according to the dimensions of the fore-arm, the length of the left middle finger, the length of the left foot, and the length of the little finger. It is said that only once in 100,000 cases do two persons correspond in all these dimensions, and then there comes in, in aid of identification, the colour of the eyes, which is carefully recorded. Notwithstanding the statements made at the recent trial, this appears to be a somewhat safer method of identifying an habitual criminal than the mere impression of a thumb.

THE LISTS of persons qualified to serve as jurors in each parish in England and Wales are published during this month, with a notice that objections to each list will be heard by the justices at a time and place mentioned in the notice. We have never heard that, in London at any rate, much attention is paid to these notices, though there must be a large number of persons who are entitled to have their names struck out of the lists. To a large number of householders the liability to serve on juries is a serious burden, the summons to serve being often received when the engagements of the juror make it particularly inconvenient for him to attend. Letters from busy men appear from time to time in the newspapers complaining that they are summoned more frequently than their neighbours, and few Englishmen appear to have any satisfactory knowledge as to the persons who are qualified and liable to serve on juries; the period for which they are liable to serve; the persons who are exempt from service; and what course should be adopted by any person who has received a jury summons and thinks that he has some claim to be excused from attendance. This lack of knowledge is not surprising when it is remembered that the law regulating the service of jurors is partly founded upon the ancient practice of our courts, and is in great part contained in a number of statutes of an intricate and perplexing character. To begin with the exemptions from service, many of these are only to be found in separate Acts of Parliament, as in the case of members of the London County Council. Many persons are aware that they are qualified and liable to serve as special jurors, but few people can be expected to know that no person is exempted from serving as a common juror by reason of his being on any special jurors' list or being qualified to serve as a grand juror. With regard to the interesting subject of remuneration, special jurors no doubt in practice receive one guinea for each case in which they are engaged, but it is not generally known that this payment, and the wretched pittance received by common jurymen, are payable by custom only, and that the juror

in the county court is in the proud position of being the only juror who is by law entitled to receive one shilling for his services.

THE DIFFERENT classes of juries in London: juries in the High Court, juries in the Probate and Divorce Division, juries in lunacy inquiries, juries at the Old Bailey and County of London Sessions, juries in the Mayor's Court, in writs of inquiry before the sheriff, and last, not least, juries in compensation cases under the Lands Clauses Act, greatly extend the area of liability to service. The period of service is not easily understood. Jurymen are summoned to attend for the whole of the assize at a particular town, but they are in fact only required to attend for some days, when a fresh jury is sworn in their place. In the sittings of the High Court in London a special jury who were required to attend for a week were much surprised to find that they were discharged from attendance before the week had elapsed simply because they had failed to agree in a particular case, and a fresh jury had been sworn while they were deliberating upon their verdict. The jury in compensation cases often wonder why they are summoned, as the matter seems to be arranged without their concurrence. Finally, the law with regard to the service of jurors upon coroners' inquests is in an anomalous condition. A coroner's jury require no particular qualification; they are summoned from the immediate neighbourhood, and although persons under the age of twenty-one and above sixty cannot be called upon to serve upon juries in the ordinary civil and criminal cases, this limit of age does not appear to apply to coroners' juries. A young man only nineteen years of age, while walking along the High-street of a country town, was not long ago hastily summoned to attend a coroner's inquest. We think that some attempt might be made to codify the law and practice regulating service upon juries. The Arbitration Act, 1889, is an excellent specimen of a statute by which the law contained in numerous decisions and in previous Acts can be reduced to a reasonable compass and expressed in language which may be understood by those who have not had a legal training.

IN THE CASE of *Re Wood* (50 W. R. 695) the Court of Appeal, who reversed the decision of KEKEWICH, J. (50 W. R. 102), gave a very interesting extension to the cases in which it has been held that a gift by will in favour of children, which *prima facie* will benefit only legitimate children, may extend also to children who are illegitimate. The rule was laid down in *Hill v. Crook* (L. R. 6 H. L., p. 283), that "where there is upon the face of the will itself, and upon a just and proper construction and interpretation of the words used in it, an expression of the intention of the testator to use the words 'children' not merely according to its *prima facie* meaning of legitimate children, but according to a meaning which will apply to and include illegitimate children," then such children will be held to be included. They were held accordingly by a majority of the Court of Appeal (BOWEN and FAY, L.J.J., COTTON, L.J., dissenting) to include illegitimate children in *Re Haseldine* (34 W. R. 327, 32 Ch. D. 511), a somewhat strong decision, since the intention of the testator to benefit illegitimate children was made out solely from the surrounding circumstances at the time when he made his will. The gift was "unto and equally between all the children" of the testator's sister-in-law, in whose house he was lying ill when the will was made. She had three children born before her marriage with her husband, but none born after, and it was held that the three children were entitled to the benefit of the gift. To construe the will, said BOWEN, L.J., the court was entitled to use the circumstances which surrounded the testator, not for the purpose of speculating what his intention was, but for the purpose of throwing light upon the true meaning of his words. It can hardly be doubted that the result was in accordance with the testator's intention. A decision in the same direction was given by KEKEWICH, J., in *Re Parker* (45 W. R. 536; 1897, 2 Ch. 208), where the testator gave a moiety of his residuary trust estate upon trust for the nephews and nieces of his wife. He had previously in the will made a gift *nominatim* to the illegitimate son of a brother of his wife, describing him also as



his wife's nephew, and it was held that he was included in the general gift to the nephews and nieces. *KEKEWICH, J.*, pointed out that, upon the more recent decisions, including *Seale-Hayne v. Jodrell* (1891, A. C. 304), it was permissible in this way to extend the *prima facie* meaning of the expression "nephews and nieces," and the will contained a clear indication that it ought to be extended.

In *Re Wood* (*supra*) the question was, not whether illegitimate children were to be included, but whether an illegitimate daughter of the testator, who was included by name as a beneficiary under the will, was to be treated as legitimate for all purposes, so that a gift over of her share to her next-of-kin would go to the persons who would have been her next-of-kin had she been legitimate. The testator gave his residuary estate in trust for his seven children, whom he had previously named, and he directed that the share of any daughter should be held for her for life and then for her children, and if there were no children "for the persons who, at the death of such daughter, would have been entitled under the statutes for the distribution of the personal estates of intestates in case she had died possessed thereof without having been married." One of the daughters of the testator was illegitimate and died without having had any children. It was urged that the effect of the gift over was to carry her share to the persons who would have been her next-of-kin had she been legitimate. But *KEKEWICH, J.*, observed that to arrive at this result it was necessary to introduce words into the will and to read it "in case she had died possessed thereof legitimate and without having been married," and he held that this could not be done by a judge of first instance. Although it was clear that the testator might benefit an illegitimate child by properly indicating his intention, yet the learned judge held that the authorities did not warrant him in treating the child as legitimated by the will for the purpose of letting in her next-of-kin on this footing. But *ROMER and STIRLING, L.JJ.*, in the Court of Appeal, had no difficulty in dealing with the objection, though *VAUGHAN WILLIAMS, L.J.*, concurred with hesitation in the result they arrived at. The testator, in speaking of the next-of-kin of an illegitimate child, had clearly some meaning, and hence it was impossible to suppose that any child was to be regarded as illegitimate for the purpose of the clause in question. It is meaningless to talk of the next-of-kin of an illegitimate child who is to be treated as having died without being married. Consequently, whether it was necessary to introduce words or not, the gift over on her death had to be read as though she was a legitimate child. Only so could she have any next-of-kin, and only so could the gift in the will have in regard to her any effect.

IT IS PROPERLY one of the objects of rules of procedure to prevent any of the parties to litigation taking advantage of mistakes that have been made in the course of the proceedings, and in furtherance of this object R. S. O., ord. 16, provides by rule 2 that where an action has been commenced in the name of the wrong person as plaintiff, the court may, if it is satisfied that the action has been so commenced through a *bona fide* mistake, and that it is necessary for the determination of the real matter in dispute so to do, order any other person to be substituted as plaintiff. The recent case of *Hughes v. Pump House Hotel Co.* (50 W. R. 677) obviously gave an opportunity for a very beneficial application of the rule. The plaintiff had executed an assignment to Lloyd's Bank (Limited) of moneys to become due to him under a building contract. The assignment was of such a character as to make it difficult to say whether it was absolute within the meaning of section 25 (6) of the Judicature Act, 1873, and when it was desired to bring an action for the moneys due under the building contract, the action was brought, upon the assumption that the assignment was not absolute, in the name of the assignor. *WRIGHT, J.*, held that this procedure was right, but the Court of Appeal (50 W. R. 660; 1902, 2 K. B. 190) decided that the assignment was absolute, and hence the plaintiff had no cause of action. It was obvious under such circumstances to have recourse to the rule above referred to and to apply for the substitution of Lloyd's Bank as plaintiffs, and an order was made

accordingly by the master and affirmed by *CHANNELL, J.* It was affirmed also by the Court of Appeal. Against such substitution it was urged that the court had no jurisdiction under the order to substitute a new plaintiff where the original plaintiff had no cause of action. But such a jurisdiction had already been exercised in *The Duke of Buccleugh* (40 W. R. 455; 1892, P. 201), where, in an action to recover damages for collision, the wrong person had been joined as plaintiff as owner of the cargo aboard the damaged ship. The names of the real owners were substituted even after judgment. *LORD ESHER, M.R.*, observed that the rule was exactly applicable to such a case, and no difficulty was felt in applying it. It was equally applicable in the present case, and the Court of Appeal held that the decision in *The Duke of Buccleugh* was conclusive.

BY SECTION 121 of the Lands Clauses Act, 1845, it is provided that in a case where lands which are being taken for the purpose of a public undertaking are in the possession of a person having no greater interest therein than as tenant from year to year the compensation, if he is required to give up possession before the expiration of his term, is to be determined by two justices. In the recent case of *Great Northern and City Railway Co. v. Tillett* (50 W. R. 652) the question was raised whether the justices, in assessing the compensation, had jurisdiction to inquire into the title of the tenant to the interest which he claimed. Upon the analogy of other modes of assessing compensation it is clear that they have not. It is one of the peculiarities of the procedure under the Act that all the expense of assessing compensation before an arbitrator or a jury has to be incurred before the question of the claimant's title to receive any compensation at all can be gone into. The whole machinery of the Act, it has been said, is for the purpose of ascertaining the quantum of compensation, leaving to other tribunals to determine whether the party claiming has any interest, and who is entitled to the compensation: per *WRIGHT, J.*, in *Reg. v. London and North-Western Railway Co.* (1894, 2 Q. B., p. 520). These matters are settled when the claimant, to whom compensation has been awarded on the footing of the interest claimed, proceeds to enforce the award of the arbitrator or the verdict of the jury: *Reg. v. London and North-Western Railway Co.* (3 E. & B. 443). In the present case the Divisional Court (*LORD ALVERSTONE, C.J.*, and *CHANNELL and DARLING, JJ.*) held that the same rule applies when compensation is assessed by justices under section 121. If the claimant alleges that he has an interest from year to year, the justices are bound to assess the compensation upon that basis. It is, however, a condition precedent to the exercise of jurisdiction under the section that the claimant should have been required, in accordance with the words of the section, to give up possession (*Reg. v. Sheriff of Middlesex*, 31 L. J. Q. B. 26; *Reg. v. Stone*, 14 W. R. 791, L. R. 1 Q. B. 529), and for want of compliance with this provision the assessment by the justices—or rather by the alderman of the City of London, who is equal in law to two justices—in the present case was bad.

Sir Theodore Martin, who attained the age of eighty-six years on Tuesday, it may not be generally remembered, says the *St. James's Gazette*, began life in a very different sphere from that in which he has won his fame. In his younger days he built up a great reputation as a Parliamentary agent in the passing of private Bills, and to this day carries on the same work.

The practice of Judge Shortt, who never hears a solicitor without a gown, will, says the *St. James's Gazette*, call to the legal mind many odd customs which still linger at some courts. It is said—and it was certainly the case within the last ten years—that the judges attending the Newcastle assizes are still waited upon by the mayor and corporation at the end of their session and presented with a "piece of money" to buy a dagger to defend themselves from the Scots who "much and often infest the Border country." No Scotsman, so far as one knows, has ever protested against the libellous perpetration of this relic of mediæval custom, but a witty judge who received a coin of James I. from the mayor some years ago, took occasion to doubt whether the Scots had been troublesome on the borders lately, whether daggers for the protection of his suite could be purchased in Newcastle, and whether the coins given him were legal tender. One of the little worries of the Newcastle Corporation is in the buying up of these "pieces of money."

## CAUSES OF ACTION.

It is frequently a matter of importance, and also of difficulty, to determine the precise time when a cause of action arises. In this respect injuries which give rise to a cause of action are divisible into three classes. If the injury in itself gives a right to damages without proof of actual loss, the cause of action arises upon the happening of the injury. When the injury is not actionable save on proof of actual loss—when, that is, damage is the gist of the action—the cause of action does not arise until the loss is incurred. And there is a third class of injuries, in which the conduct complained of is in no way wrongful in itself, but only becomes wrongful if loss to another results, and here again, therefore, there is no cause of action until the occurrence of the loss.

To the first class of actions belong those in which the injury consists in the direct infringement of a right or in the breach of a contract. An infringement of the right to bodily security, to reputation, or to liberty—all of which may be classed as personal rights—gives an immediate right of action without proof of special damage. The law in such cases imputes general damages in respect of which the plaintiff is entitled to a verdict, though he can increase the amount of his claim by giving evidence of particular loss which he has suffered. To this general rule, however, relating to personal rights, actions of slander may be regarded as forming an exception. The words spoken may be actionable in themselves or not. In the former case the speaking of them is the cause of action. In the latter they are not actionable unless special damage is proved. Infringements of rights of property fall within the same class as infringements of personal rights. The infringement is the cause of action, and general damages are presumed. This is so both with regard to infringements of rights in real property, as in trespass; and of rights in personal property, as in conversion. Conversion has been defined as "an unauthorized act which deprives another of his property permanently or for an indefinite time" (*per* BRAMWELL, B., in *Hiort v. Bott*, L. R. 9 Ex. p. 89), and, provided the possession is interfered with (*Lancashire Wagon Co. v. Fitzhugh*, 6 H. & N. 502), the injury is complete, notwithstanding that the person who causes it is ignorant of the title of the true owner of the goods: *Stephens v. Elwall* (4 M. & S. 258). The cases on the liability of brokers and auctioneers shew the danger which may be incurred in this respect see: *Hollins v. Fowler* (L. R. 7 H. L. 757), *Consolidated Co. v. Curtis* (40 W. R. 426; 1892, 1 Q. B. 495). An action for the detention of goods assumes that the defendant's possession was at first lawful, but has since become unlawful, and then the cause of action arises upon the change from lawful to unlawful detention, as when a bailee of goods refuses or fails to give up the goods at the determination of the bailment. If a bailee during the bailment converts the goods to his own use, as if he sells them, there is an immediate cause of action for the conversion. But if the bailor does not take advantage of this, he can wait for the proper time for the delivery of the goods, and then sue for wrongful detention. Consequently he can bring this latter action notwithstanding that more than six years have elapsed since the date of the conversion: *Wilkinson v. Verity* (L. R. 6 C. P. 206).

In actions founded on breach of contract, again, the cause of action does not depend on proof of actual damage. "In an action of *assumpsit*," said BAYLEY, J., in *Howell v. Young* (5 B. & C. 259), "the Statute of Limitations begins to run, not from the time when the damage results from the breach of promise, but the time when the breach of promise takes place." The breach of contract is the gist of the action, not the special damage: *Battle v. Faulkner* (3 B. & A. 289). Thus, in actions of negligence founded on contract, it is the negligence in the performance which constitutes the breach of contract, and the cause of action is complete upon the negligence, although the special damage may not accrue till later. In such cases it is the same whether the action is brought in contract or in tort. Hence in an action for negligence by a client against a solicitor the act of negligence gives the cause of action; the Statute of Limitations then begins to run, and not from the time when the negligence is discovered by the client (*Short v. McCorthy*, 3 B. & A. 626; *Wood v. Jones*, 61 L. T. 551)—unless, indeed, it has been

fraudulently concealed (*Brown v. Howard*, 2 Br. & B. 73)—or from the time when damage results: *Howell v. Young* (*supra*). An interesting example of the application of the principle is afforded by *Bean v. Wade* (C. & E. 519), where the negligence consisted in failure to give to trustees notice of an assignment of an equitable interest in a trust fund, whereby a subsequent incumbrancer gained priority. It was held that the act of negligence was not complete until such subsequent notice, and not till then accordingly did the cause of action arise.

In the second class of actions referred to above the injury lies not entirely in the act complained of, but also in the damage which results from it, and this is in general the case where the wrongful conduct does not directly infringe any absolute right, personal or proprietary, but in fact results in an injury to the person or property of another. In *Ratcliffe v. Evans* (40 W. R. 578; 1892, 2 Q. B. 524), BOWEN, L.J., in delivering the judgment of the Court of Appeal, drew a distinction between the special damage in such cases, which is the gist of the action, and the general damage, which we have above referred to as particular damage, which can be proved in addition to general damage. The term "special damage," he said, is at times employed "to denote that damage arising out of the special circumstances of the case which if properly pleaded may be superadded to the general damage which the law implies in every breach of contract and every infringement of an absolute right. . . . But where no actual and positive right (apart from the damage done) has been disturbed, it is the damage done that is the wrong; and the expression "special damage," when used of this damage, denotes the actual and temporal loss which has in fact occurred."

Of causes of action which depend upon the occurrence of special damage, that for slander, where the words spoken are not in themselves actionable, is a familiar example. So again negligence, unless it arises in the course of the performance of a contract, is not actionable without proof of actual damage. A nuisance, in the technical sense, may amount to an infringement of an absolute right, and then it is immediately actionable without proof of special damage; as where a commoner enjoys more than his share of the commonable rights: *Wells v. Watling* (2 W. Bl. 1233, note (D) to *Marys' case*, 9 Rep. 113a). But where the term is used in its popular sense to denote an interference with the convenient occupation of property, it is not actionable until the interference causes damage. The principle that in this class of cases there must be both wrongful conduct and special damage is illustrated by cases of continuing nuisance. In general, damages must be recovered once for all, and the verdict covers future prospective damage as well as past known damage. But if the injury is in its nature continuing, then with each recurrence of special damage there is a fresh cause of action. This principle accounts for the result in *Whitehouse v. McGregor* (10 C. B. N. S. 765), where an alteration of a drain in a highway caused successive floods on adjacent land. "No fresh cause of action," said WILLIAMS, J., "arises from each fresh damage; but where there is not only a fresh damage but a continuance of the cause of damage, such continuance of the wrongful act which caused the damage constitutes a fresh cause of action." Similarly, in *Devery v. Grand Canal Co.* (9 I. R. C. L. 194) a wrongful obstruction of a stream commenced in 1866, and then causing damage to the plaintiff, was continued to 1873, when it caused the flooding of the plaintiff's land. This was held to give a fresh cause of action in the latter year.

The third class of actions consists of those in which the conduct which results in damage is in no sense wrongful in itself, and only becomes wrongful by reason of the damage. Thus, where land or houses are entitled to support from adjacent or subjacent property, the mere excavation in such property by the owner or occupier of it is not wrongful. If, however, the excavation results in subsidence whereby actual damage is caused, the damage gives a cause of action (*Backhouse v. Bonomi*, 9 H. L. C. 583), and the Statute of Limitations runs from the damage, and not from the excavation. And since the damage is the sole cause of action, the verdict covers only the damage already suffered, and a fresh cause of action arises with every successive subsidence: *Darby Main Colliery Co. v. Mitchell* (11 App. Cas. 127). In the latter case LORD BLACKBURN, who delivered a dissentient judgment, declined to admit that an act



innocent in itself could become actionable merely on the ground that it resulted in damage. "I do not think," he said, "that it at all follows [from *Backhouse v. Bonomi*] that the act of removing the minerals to such an extent as to make the support insufficient is an innocent act rendered wrongful by the subsequent damage. That would be a great anomaly, for I think there is no other instance in our law where an action lies in consequence of damage against a person doing an innocent act. There are many where no action lies against the doer of an improper act, unless and until damage accrues." And the learned judge held that in cases of injury by subsidence, the original excavation, if in the result a cause of action arises, must be regarded as wrongful. "All I think," he said, "that is really decided in *Bonomi v. Backhouse*, at least in this House, is that where there is a breach of that duty (i.e., not to injure the support to adjacent land) followed by damage, there is a cause of action; and that until there is damage there is no more cause of action for the breach of duty than there would be in the person who saw the breach of duty in the reckless rider of a horse, but was not damaged, though in peril."

But the majority of the House did not agree with this opinion, and held that, in addition to actions where the wrongful act itself gives the cause of action, and actions in which the cause of action lies in the wrongful act followed by special damage, there is the third class—namely, that which we are now considering—where an innocent act becomes actionable because damage results from it. "It cannot be said," said Lord BRAMWELL, "that the act of excavation is unlawful. A contract to do it could be enforced. No injunction against it could be obtained unless injury was imminent and certain." Consequently it was solely the resulting damage which gave the cause of action, and, this being so, a fresh cause of action arose with every new resulting damage. This case conclusively established the three-fold division of causes of action which we have stated above.

## REVIEWS.

### THE LAW OF CONTRACTS.

PRINCIPLES OF THE LAW OF CONTRACTS. By the late S. MARTIN LEAKE, Barrister-at-Law. FOURTH EDITION. By A. E. RANDALL, Barrister-at-Law. Stevens & Sons (Limited).

We are glad to see a new edition of Leake on Contracts. The subject with which it deals covers a great part of the entire field with which the practising lawyer is concerned, and it is presented in a manner which is at once practical and convenient. The author had the happy gift of combining the clear statement of principles with detailed references to the authorities on which the establishment or application of the principles depends, and he produced a work which occupies a high place in the list of standard treatises. In the present edition it is issued in a somewhat larger form, but it has not outgrown the limits of convenient use. The task of bringing it up to date has clearly been no light one. A case such as *Nordenfeldt v. Maxim-Nordenfeldt, &c., Co.* (1894, A. C. 535), in which the House of Lords chooses to break with the traditions of antiquity, necessitates a thorough revision of the text, and, where the changes have not been so great, yet the continuous flow of judicial decision gives occasion for fresh consideration and additional references on almost every point. Among the more recent cases which have been incorporated may be mentioned *Oliver v. Bank of England* (50 W. R. 340; 1902, 1 Ch. 610), in which the bank successfully threw upon the stockbrokers the responsibility for passing a forged power of attorney; *Gordon v. London, City, and Midland Bank* (50 W. R. 276; 1902, 1 K. B. 242), which established, pending the appeal to the House of Lords, that banks which carry cheques to the credit of a customer before they have been cleared, subsequently receive payment of the cheques for themselves and not for their customers and consequently do not obtain the protection of section 82 of the Bills of Exchange Act, 1882; and *Jones v. Humphries* (50 W. R. 191; 1902, 1 K. B. 10), which shows that an unascertained part of a debt cannot be the subject of an absolute assignment within section 25 (6) of the Judicature Act, 1873. Whether in any case a part of a debt can be so assigned is still an open question. But apart from special decisions, the text of the work abounds with instances in which the effect of numerous authorities is stated with clearness and accuracy. As examples we may refer to the paragraph (pp. 688, 689) which enumerates the cases in which various persons have been held by reason of their fiduciary position to be within the rule which precludes a trustee, apart from section 8 of the Trustee Act, 1888, from pleading the Statute of Limitations to a claim by his *cestui que trust*, a subject on which *Burdick v. Garrick* (5 Ch. 233)

is the leading decision; and the cases (p. 825), which have accumulated upon the construction of the provision of the Judicature Act, 1873, just referred to. The book is one which well deserves a place in the practising lawyer's library.

### BOOKS RECEIVED.

The Law relating to Waters, Sea, Tidal, and Inland, including Rights and Duties of Riparian Owners. Canals, Fishery, Navigation, Ferries, Bridges, and Tolls and Rates Thereon. By H. J. W. COULSON, B.A., Barrister-at-Law, and URQUHART A. FORBES, Barrister-at-Law. Second Edition. Sweet & Maxwell. 35s.

A Treatise upon the Law of Copyright in the United Kingdom and the Dominions of the Crown, and in the United States of America, containing a full Appendix of all Acts of Parliament, International Conventions, Orders in Council, Treasury Minutes, and Acts of Congress now in force. By E. J. MACGILLIVRAY, LL.B. (Cantab.), Barrister-at-Law. John Murray.

The Principles of Bankruptcy: Embodying the Bankruptcy Acts, 1883 and 1890, and the Leading Cases Thereon; Part of the Debtors Act, 1869; the Bankruptcy Appeals (County Courts) Act, 1884; the Bankruptcy (Discharge and Closure) Act, 1887; the Preferential Payments in Bankruptcy Acts, 1888 and 1897; the Leading Cases on Bills of Sale. With an Appendix containing the Schedules to the Bankruptcy Act, 1883; the Bankruptcy Rules, 1886, 1890, 1891, and 1896; the Rules as to the Commitment of Judgment Debtors and as to Administration Orders; Regulations issued by the Bankruptcy Judge; a Scale of Costs, Fees, and Percentages; the Bills of Sale Acts, 1878, 1882, 1890, and 1891, and the Rules Thereunder; the Deeds of Arrangement Act, 1887, and the Rules Thereunder. By RICHARD RINGWOOD, M.A., Barrister-at-Law. Eighth Edition. Stevens & Haynes.

The Statutes of the Commonwealth of Australia (of Practical Utility). Vol. I., 1901. Together with an Index. Compiled by H. M. COCKSHOTT, LL.B., and S. ERNEST LAMB, LL.B., Barristers-at-Law. The Law Book Company of Australasia (Limited).

Key to the Rules of the Stock Exchange: Embodying a Full Exposition of the Theory and Practice of Business in the "House." By FRANCIS CHISWELL. Effingham Wilson.

The Inner and Middle Temple, Legal, Literary and Historic Associations. By HUGH H. L. BELLOT, M.A., B.C.L., Barrister-at-Law. With ninety Illustrations. Methuen & Co.

The Licensing Act, 1902, with an Explanatory Treatise especially compiled for General as well as Professional Use, Full Text of Act, various Extracts from other Statutes, and an Index of over one hundred References. By GEORGE HIME and WILLIAM RICHARD LAMB, Solicitors. Simpkin, Marshall, Hamilton, Kent & Co. (Limited).

The Modern Lawyer's Office: Being Suggestions for Improvements in the Organization of Law Offices, and for the Adoption of Certain American Appliances and Business Methods. By A SOLICITOR OF THE SUPREME COURT. Stevens & Co. (Limited). Price 6s.

A Constable's Duty and How to Do It (in Reference to the Administration of the Criminal Law and Constabulary Practice). With Explanatory Notes of a Practical Character, Cross references, and a Copious Index; together with a Concise Criminal Code, Alphabetically Arranged, with Instructions to Constables How to Act in Each Offence Against the Law; and Examples of a Sectional Occurrence Book. By THOMAS MARRIOTT, a Solicitor of the Supreme Court, and Superintendent B. M. CREGE of the West Riding Yorkshire Constabulary. Third Edition. Effingham Wilson.

The Licensing Act, 1902. A Practical Guide to its Provisions Incorporating Textually or by Easy Reference all Acts and Forms Necessary to its Interpretation and Execution, with Brief Editorial Notes, Blank Pages for Annotations, and a Comprehensive Index. By HENRY LINDON RILEY, Solicitor. James Cornish & Sons. Price 6s. 8d. net.

Journal of the Society of Comparative Legislation. Edited for the Society by JOHN MACDONELL, Esq., C.B., LL.D., and EDWARD MANSON, Esq. New Series, 1902—No. 1. John Murray.

Handbook on the New Licensing Act, 1902, with Explanatory Notes, Index, &c. By M. ROBERTS-JONES, Solicitor. Cardiff: Tudor Printing Works. Price 1s. 6d.

The Temple Church, which has been closed during the Long Vacation, will be reopened for service on Sunday, the 5th of October. During the vacation the electric light has been re-installed and considerably augmented.

## NEW ORDERS, &amp;c.

## HIGH COURT OF JUSTICE.

LONG VACATION, 1902.

## Notice.

During the vacation until further notice, all applications "which may require to be immediately or promptly heard," are to be made to the judges who for the time being shall act as vacation judges.

**COURT BUSINESS.**—Mr. Justice Jelf, one of the vacation judges, will, until further notice, sit in the Lord Chief Justice's Court, Royal Courts of Justice, at 10.30 a.m. on Wednesday in every week, commencing on Wednesday, the 24th of September, for the purpose of hearing such applications of the above nature as, according to the practice in the Chancery Division, are usually heard in court.

No case will be placed in the judge's paper unless leave has been previously obtained, or a certificate of counsel that the case requires to be immediately or promptly heard, and stating concisely the reasons, is left with the papers.

The necessary papers, relating to every application made to the vacation judges (see notice below as to judges' papers), are to be left with the cause clerk in attendance, Chancery Registrars' Office, Room 136, Royal Courts of Justice, before 1 o'clock on the Monday previous to the day on which the application is intended to be made. When the cause clerk is not in attendance, they may be left at Room 136, under cover, addressed to him, and marked outside Chancery Vacation Papers, or they may be sent by post, but in either case so as to be received by the time aforesaid.

**URGENT MATTERS WHEN JUDGE NOT PRESENT IN COURT OR CHAMBERS.**—Application may be made in any case of urgency, to the judge, personally (if necessary), or by post or rail, prepaid, accompanied by the brief of counsel, office copies of the affidavits in support of the application, and also by a minute, on a separate sheet of paper, signed by counsel, of the order he may consider the applicant entitled to, and also an envelope, sufficiently stamped, capable of receiving the papers, addressed as follows: "Chancery Official Letter: To the Registrar in Vacation, Chancery Registrars' Office, Royal Courts of Justice, London, W.C."

On applications for injunctions, in addition to the above, a copy of the writ, and a certificate of writ issued, must also be sent.

The papers sent to the judge will be returned to the registrar.

The address of the judge for the time being acting as vacation judge can be obtained on application at Room 136, Royal Courts of Justice.

**CHANCERY CHAMBER BUSINESS.**—The chambers of Justices Kekewich and Joyce will be open for vacation business on Tuesday, Wednesday, Thursday, and Friday in every week, from 10 to 2 o'clock.

**KING'S BENCH CHAMBER BUSINESS.**—Mr. Justice Jelf will, until further notice, sit for the disposal of King's Bench business in Judges' chambers on Tuesday and Thursday in every week, commencing on Thursday, the 18th of September.

**PROBATE AND DIVORCE.**—Summonses will be heard by the registrar, at the Principal Probate Registry, Somerset House, every day during the vacation at 11.30. Motions will be heard by the registrar on Wednesday, the 24th of September, and the 8th of October, at 12.30. In matters that cannot be dealt with by a registrar, application may be made to the vacation judge by motion or summons.

Decrees nisi will be made absolute by the vacation judge on Wednesdays, the 1st and 15th of October.

A summons (whether before judge or registrar) must be entered at the registry, and case and papers for motion (whether before judge or registrar), and papers for making decrees absolute must be filed at the registry before 2 o'clock on the preceding Friday.

**JUDGE'S PAPERS FOR USE IN COURT.**—CHANCERY DIVISION.—The following papers for the vacation judge are required to be left with the cause clerk in attendance at the Chancery Registrars' Office, Room 136, Royal Courts of Justice, on or before 1 o'clock, on the Monday previous to the day on which the application of the judge is intended to be made:

1. Counsel's certificate of urgency, or note of special leave granted by the judge.
2. Two copies of writ and two copies of pleadings (if any), and any other documents shewing the nature of the application.
3. Two copies of notice of motion.
4. Office copy affidavits in support, and also affidavits in answer (if any).

**N.B.**—Solicitors are requested, when the application has been disposed of, to apply at once to the judge's clerk in court for the return of their papers.

Chancery Registrars' Office,  
Royal Courts of Justice, September, 1902.

## CASES OF THE WEEK.

## Before the Vacation Judge.

POPE v. POPE. 17th Sept.

DIVORCE—PRACTICE—ORDER FOR ACCESS TO CHILD—DISOBEDIENCE—MOTION FOR WRIT OF ATTACHMENT—FORM OF ORDER.

This was a motion on behalf of the respondent, Dr. Percy Pope, of Mortimer-street, W., that he might be at liberty to issue a writ or writs of attachment against the petitioner for her contempt in not obeying two several orders of Barnes, J., made herein and respectively bearing date the 26th of July, 1902, and the 8th of August, 1902, allowing the respondent access to and the custody of the child of the marriage of the respondent and the petitioner, as in the said orders directed. In support of the motion it was said that on the 11th of July, 1900, a decree nisi was pronounced dissolving the marriage of the petitioner and respondent and giving to the wife, the petitioner, the custody of the only child of the marriage, now aged three years and ten months or thereabouts, which decree was made absolute on the 28th of January, 1901. By an order dated the 26th of July, 1902, and made by Barnes, J., it was ordered (*inter alia*) that the respondent should have access to the child for three hours once a week, from 12 till 3 o'clock, at his house, in the presence of his sister. It was agreed between the respective solicitors that such access should be afforded on Thursday in every week, and he accordingly arranged with his sister that she should be in attendance at his house in Mortimer-street every Thursday during the visits of the child, and she had so attended. Notwithstanding the arrangement the child was not sent on Thursday, the 31st of July, 1902, the first day agreed on, but she was sent on Thursday, the 7th of August, 1902. By an order dated the 8th of August, 1902, and made by Barnes, J., it was ordered (*inter alia*) that the respondent should have the custody of the child for a week, between the 14th of August and the 1st of September, upon his undertaking that his sister should reside at his house during the week. At the request of the petitioner's solicitors, the day fixed for the visits of the child was altered to Friday in every week, and the respondent accordingly arranged with his sister to attend upon that day instead of Thursday as theretofore, and she had so attended. Notwithstanding the orders and arrangements, and frequent applications made by his solicitors to the petitioner's solicitors, the child was not sent to his house, nor did he see her from the 7th of August until 2nd of September, 1902. At or about 5 o'clock on the 2nd of September, 1901, the petitioner arrived with the child at 74, Mortimer-street, and because the respondent's sister was not there she used vulgar language towards the respondent and refused to leave the child with him and finally took her away. For the petitioner, the wife, it was said that the child was ill and confined to the house between the 13th of August and the 1st of September, 1902, and on Sunday, the 24th of August, 1902, the petitioner called in Dr. Rose, of 237, Selhurst-road, South Norwood, to attend her. Dr. Rose attended the child from the 24th of August till the 29th of August, 1902, for an attack of German measles, and on the 30th of August her solicitors wrote to the respondents' solicitors informing them thereof. On the 2nd of September, 1902, the petitioner took the child to the respondent's house, 74, Mortimer-street, and arrived there between 4 and 5 p.m. with the idea that she was to stay there one week, but was informed by the housekeeper that the respondent's sister had left and that they could not now receive the child. It was denied that the petitioner used or that there was any cause to use vulgar language, but she went there with the full intention of leaving the child there for one week.

SWINFEN EADY, J., ordered the child to be sent to Dr. Pope's, the aunt being there, for a week, next Friday, to arrive between 3 and 4 o'clock, the time for the mother to take her to Scotland to be extended for two months from the 1st of October. The rest of the motion to stand over.—COUNSELL, *Fike; Pritchard. SOLICITORS, Gadsden & Treherne; Jenkinson, Owen, & Co.*

[Reported by J. E. ALDOUS, Esq., Barrister-at-Law.]

DA COSTA v. DA COSTA. 17th Sept.

DIVORCE—PRACTICE—COSTS—WIFE PETITIONER AND GUILTY OF ADULTERY—NO APPLICATION FOR COSTS AT TRIAL—ORDER FOR PAYMENT OF COSTS BY RESPONDENT—DIVORCE RULE 159.

This was a motion on behalf of the wife, the petitioner, for an order that the respondent should comply with an order made on the 4th day of August, 1902, for payment of the petitioner's costs of and incidental to the trial of the above cause, or in the alternative for such other order as to the court should seem meet. In support of the motion it was said that the wife, Mrs. E. E. Da Costa, petitioned for a judicial separation on the ground of her husband's adultery. The respondent admitted his adultery, but the petitioner was also found guilty of adultery, and the petition was dismissed. At the trial no application for costs was made. By an order dated the 4th of August, 1902, certain costs were directed to be paid by the respondent to the petitioner's solicitors, amounting to £26 1s. 1d., being the amount of the petitioner's costs as taxed by one of the registrars of the Probate Division of the court, and it was further ordered that the respondent should lodge into court the sum of £50 to cover the costs and expenses of the petitioner of and incidental to the hearing of the cause or give a bond for the same under the hand and seal of the respondent and of two sufficient sureties in the penal sum of £100. For the respondent it was submitted that, as no application was made at the trial for costs, the petitioner could not recover them. Rule 159 of the Divorce Rules was relied on, which is as follows: "When on the hearing or trial of a cause the decision of the Judge Ordinary or the



verdict of the jury is against the wife, no costs of the wife of and incidental to such hearing or trial shall be allowed as against the husband, except such as shall be applied for, and ordered to be allowed by the Judge Ordinary, at the time of such hearing or trial."

SWINFEN EADY, J., said that the motion was too wide in its terms. There was a positive order to pay a certain sum of money. There would be leave to amend the notice of motion by applying for payment of £26 1s. 1d. only. The motion would be adjourned, with liberty to apply to the judge of the Divorce Division to rescind the order of the 4th of August.—COUNSEL, *J. Penry Oliver; Bayford. SOLICITORS, Harley, Jones, & Hodder; T. L. Wilson & Co.*

[Reported by J. E. ALDOUS, Esq., Barrister-at-Law.]

## THE REPORT OF THE COMMISSIONERS OF PRISONS.

THIS report for the year 1901-1902 has just been issued and contains some important information. The commissioners say that there are certain features that have marked the administration of the year which seem to call for special comment, and these they review in order:

**Increase of Convictions.**—The rise in the prison population. There were, including court martial prisoners, 193 more prisoners sentenced to penal servitude, and 17,163 to imprisonment, than in the previous year. The daily average of prisoners detained in the local prisons was 16,267, or the highest since the year 1885. We have endeavoured by local inquiry, in which we have been kindly assisted by the police authorities, at places where the increase in the number of convictions during the year has been most marked, to ascertain whether local causes have existed which would account for the growth of the prison population. It is, however, impossible to assign any specific cause, as the increase has been generally distributed throughout the country, and it is our opinion, with which we have acquainted the Secretary of State, that it would be sanguine to anticipate, having regard to many circumstances, *e.g.*, the growth of the large industrial centres, involving, in many cases, an extension of borough limits, and thus a greater activity and efficiency of police, a multiplication of statutes and bye-laws involving penal consequences, and an increase of population pressing against the means of subsistence, that the average numbers will again fall to the level of the last decade. Prison statistics go to show that it is not unlikely that, while serious or indictable crime will continue to show a decrease both absolutely and relatively to population, petty crime will show a decrease only relatively to population; or, in other words, that with the increase of population there will be a corresponding increase of persons committed to prison on summary conviction.

**Classification of Prisoners.**—We regret to observe that the powers given to magistrates by the Prison Act, 1898, to order prisoners to be classified in the three separate divisions, according to the nature of the offence and the antecedents of the offender, have not been so generally exercised as in the previous year; the number placed in the Second Division being only 3.7 per cent. of the prisoners not sentenced to hard labour, as against 5 per cent. for the previous year; and this diminution has taken place although it is stated by several governors that the triple division of prisoners, formulated by the Act, is becoming more generally understood. There is but a slight difference in the actual treatment of prisoners sentenced to the Second or Third Division, but the sentence to the Second Division implies at least the segregation of the prisoners, and marks the distinction between really criminal and only *quasi*-criminal acts, which we believe it was the intention of Parliament to emphasize when it conferred this classifying power on courts of law. It will be seen from the table, *infra*, that there were no less than 49,000 prisoners sentenced during the year to imprisonment without hard labour in default of paying a fine. It would seem reasonable to suppose, from the option of a fine being given and imprisonment being ordered without hard labour, that a considerable number of this very large body might have qualified for treatment in the Second Division, as contemplated by the Act of Parliament. Magistrates are, of course, the best judges of what treatment to order in each individual case, but we call attention to the matter as we believe that a sound and good classification of prisoners can only be obtained by the exercise of a keen discrimination in each case, and by the knowledge on the part of tribunals of the power of discrimination which they now possess. We say "knowledge" advisedly, for it has been brought to our notice in more than one instance that, although the matter has been impressed upon them by circular from the Secretary of State of the 25th of April, 1899, benches are not cognizant of the powers they possess of classifying prisoners into three divisions. In one county, a distinguished magistrate specially raised the question at a meeting of quarter sessions, and the following resolution was unanimously carried: "That, in the opinion of this court, it is expedient that effect should be given, as far as possible, to the intention of the Legislature by the classification in sentences of persons committed to prison." We lay stress on this matter because an examination of a return showing the offences and classification of all prisoners in local prisons on a given day in the year, convicted summarily (Appendix 16b), shows that out of twenty-four convicted of offences against the Elementary Education Act only four were placed in the Second Division; out of forty-four convicted of obstructions and nuisances none were placed in the Second Division. Of eighty-four offenders against military and naval law eighty-one were sentenced to hard labour, and of the remaining three, only one was placed in the Second Division. Of 100 convicted under local Acts and bye-laws only two were placed in the Second Division. These cases, taken at haphazard, may perhaps be held to indicate an imperfect appreciation by some courts of the powers conferred upon them by the Legislature. The promiscuous con-

signment to the common form of imprisonment—an attractive, because an easy remedy, in every case where the law has been broken—is, in our opinion, to be deprecated where the widely different circumstances in the character of different acts ought to, and under the Act of 1898 can, be recognized by a differentiation of penalty. If the triple division of offenders set up by the Prison Act, 1898 may be considered a sufficient machinery for the treatment in prison of persons guilty of ordinary offences against the law, there yet remain classes of prisoners for the treatment of whom no special machinery has yet been devised, but whose case must in the near future engage the attention of Parliament as it has been exciting much public opinion throughout the past year. We refer to the case of the "professional" and the youthful criminal—the criminal at the end and at the beginning of his career. We do not consider any prison system to be complete which does not provide, so far as is humanly possible, for the prevention of crime by the special treatment of young prisoners, and for their segregation, under special conditions, from those older criminals who, by a long course of repeated crime, have proved themselves indifferent to all reformatory influences, and must be regarded as the enemies of society. Both these questions have been engaging our anxious attention during the past year.

**Professional Criminals.**—With regard to "professional" crime, we have submitted a scheme for the consideration of the Secretary of State providing for the detention, under special conditions, of persons guilty of grave and habitual crime. So far as the question is one of administration of the criminal law, it is beyond our scope and competence to deal with. We can only submit such observations as occur to us from our experience, especially in dealing with the penal servitude class in convict prisons. In the course of the year we obtained a census of the convict prisons, and as the question is now under consideration, we will not do more than refer generally to some of the more striking object lessons which that census reveals. We use the word "professional" in a technical sense as men whose penal records show that they have lived systematically by thieving and robbery, and whose acquisitive instincts have been uncontrolled by the fear and example of punishment. Of the total convict population of 2,879 no less than 1,342 had been previously sentenced to penal servitude or to three or more terms for serious crime involving sentences of six months and over. Of these, no less than 1,213 were convicted of offences against property, and it is interesting to observe that as we descend from the best to the worst, there is a proportionate increase of crime against property, until it can be almost said that the "professional" criminal as defined constitutes a separate and peculiar class which, we consider, demands a special and peculiar treatment. As stated in the volume of Judicial Statistics for 1897, "It is a fact that has to be faced that neither penal servitude nor imprisonment serves to deter this class of offender from returning to crime. His crime is not due to special causes such as sudden passion, drunkenness, or temporary distress, but to a settled intention to gain a living by dishonesty"; and it was with a view of dealing with this special class of offender that the committee appointed by the Secretary of State in 1894 raised the question "whether a new form of sentence should not be placed at the disposal of the judges by which these offenders might be segregated for long periods of detention during which they would not be treated with the severity of penal servitude, but would be forced to work under less onerous conditions, as loss of liberty would eventually prove to them the chief deterrent so by their being removed from the opportunity of doing wrong, the community would gain." We believe that the time has now come when a special form of detention should be devised under which prisoners, shown by their records to belong to this "professional" class, might be segregated by order of the court for long periods of time, say, for the legal maximum for their last particular offence, subject only to conditional liberation by the Secretary of State, when he is satisfied, on the report of the prison authority, that there is reasonable ground to believe that the prisoner can be released without danger to society. We must recognize the fact that we have in our convict prisons men with regard to whom it is practically hopeless to expect that they will take warning from past punishment, and will not be ready, immediately on discharge, to revert to a life of crime. It is of this class that the chaplain of Dartmoor Prison speaks in his report when he says, "I can conscientiously say that we have done all we possibly could, spiritually and morally, for our prisoners, but the results are not of a very encouraging nature. Many seem to have given themselves up entirely to the powers of evil and are incredibly callous; even the better behaved class of prisoners speak of their wickedness as appalling; impervious themselves to all good influence they should at least be prevented from contaminating others." The question, which is one of great difficulty and importance, is now engaging the attention of the Secretary of State. With regard to this class, our inquiries have disclosed the interesting fact that most of these convicts commenced their criminal career at an early age, nearly half of them having been under twenty-one years of age on first conviction; and this fact leads us to the consideration of the second of the two points which, as stated, demand earnest consideration in the future; that is the specific treatment, on lines different from the present, of youthful prisoners at the initial stage of their criminal career.

**Youthful Offenders.**—The Prison Committee of 1894 came to the conclusion that the age when the majority of habitual criminals are made lies between sixteen and twenty-one, and they report as follows, viz: "It appears to us that the most determined effort should be made to lay hold of these incipient criminals, and to prevent them by strong restraint and rational treatment from recruiting the habitual class. The improvement of the general social conditions is the work of the community, but that some of its worst and most dangerous products can be reclaimed by special and skilful treatment is emphatically maintained by many capable

and experienced witnesses." In a paper contributed to the Brussels Congress by our chairman, an analysis is given of the character and offences of more than 2,000 lads of this age who had passed through Pentonville Prison, and had been made the subject of special study by Dr. Baker, the then deputy medical officer. The conclusion drawn from that analysis was that the succession of short sentences which law and custom prescribe for this dangerous class of young criminals is neither a deterrent nor a remedy. Of such sentences the governor of Manchester Prison reports that they "not only fail to act as a deterrent, but, on the contrary, would appear to have the opposite effect, as many of these youths return again and again to prison, and become really habitual offenders before they are eighteen years of age; prison has no terrors for them." The governor of Newcastle Prison refers to the offences of which these young prisoners were convicted during the year, gambling being the most common offence, throwing stones, playing football in the streets, throwing snowballs, and driving a vehicle without a light. It cannot be too strongly insisted upon that the commitment to prison at an early age for offences which, though they may constitute a nuisance and a danger, are not really criminal, or in many cases more than boyish freaks, constitutes the passage of sure and certain descent to the graver forms of crime, and to the desperate type of criminal of which the chaplain of Dartmoor Prison speaks in tones almost of despair. It has been our duty to consider in what way this great social danger can be dealt with, and we have come to the conclusion that, as for the "professional" criminal, so for the youthful offender between sixteen and twenty-one, a specific form of treatment must be devised. The method which we are about to adopt, tentatively and experimentally, has been referred to during the year in Parliament and the Press as the "Borstal Scheme," but there is a considerable misunderstanding both as to the nature of the scheme and the intention it is proposed to fulfil. Shortly stated, its object is as follows: Young offenders up to the age of sixteen are adequately provided for under the existing law under the industrial and reformatory school system; the excellent results of which are well known. Immediately on passing the age of sixteen, an offender is an adult for the purpose of the criminal law, and must be treated as such under the existing prison system. Figures have shown, and the committee of 1894 have testified, that the age between sixteen and twenty-one is essentially the criminal age, and that from criminals of this age the professional criminal of later years is generated. It is known also to students of human nature that this age is a particularly plastic age, and that the habit which may lead to crime or virtue cannot be said to be fully formed before the age of twenty-one. On the basis of these two postulates an attempt is about to be made to submit certain offenders between the age of sixteen and twenty-one, committed to the Metropolitan Prison for a period exceeding six months, to a special form of disciplinary and reformatory treatment. The Rules and Standing Orders detailing this treatment will be found in Appendix No. 17. They constitute a new departure from the recognized prison system of this country in many respects. Their object, broadly stated, may be said to be to build up "self respect." This is a delicate plant to cultivate when the soil is hard and barren and unresponsive, as it must be in the case of many of these young persons whom we style "juvenile-adults," and whose criminal character has already become ingrained in many cases by the succession of short sentences of imprisonment which public opinion is now condemning, not only as an ineffective, but as a harmful method of dealing with crime. Apart from the specific treatment in prison, there are two conditions which we consider to be absolutely necessary for the success of this scheme: (1) The supervision of these lads on discharge; (2) a sufficiently long period of time during which they shall be made amenable to healthy influences. The first condition has, we hope, been secured by the benevolent and philanthropic action of a body of gentlemen who have lately formed themselves into an association for the distinct purpose of dealing with these cases on discharge. As to the second condition, this can only be secured by an alteration of the criminal law, or, in other words, by the action of Parliament, should it become satisfied by the result of the experiment that it is being made, that the existing system of a succession of short sentences for young criminals is ineffective and mischievous, and that better results can be obtained if power were given to the courts to commit for longer periods to the care of the State young criminals who are shown by their antecedents to be graduating for a course of "professional" crime.

**Remission of Sentence.**—A very noticeable feature in the reports for the year is the emphatic way in which many governors speak of the advantages arising from the application of the principle of remission of part of a sentence for industry with good conduct, to local prisoners who, under the Prison Act, 1898, merit this privilege. Further experience has strengthened the opinion previously expressed by us, that the power to earn remission has a salutary effect on the mind of the prisoner, and is a powerful contributory factor towards better discipline in prison. It is for the Secretary of State to consider whether the time has now come for shortening the period of imprisonment rendering prisoners eligible for this privilege.

**Prisoners Awaiting Trial.**—We have had for some time under our consideration the question of the treatment of prisoners awaiting trial at assizes and quarter sessions, being of opinion that some modification is necessary in those cases in which such prisoners remain in custody for long periods. We have adopted experimentally, as far as practicable, in the case of prisoners awaiting trial for a month or upwards, regulations which, among other things, increase the period of exercise allowed to such prisoners each day, and provide facilities for their working either at their own trades, or at prison industries, in which case they may receive the whole of their earnings, after deduction for the use of implements and the cost of maintenance. It is provided also that their earnings, if any, may be expended either for the benefit of their families or in purchase of

books and papers. It is too soon at present to say how far these provisions will be really effective towards securing the object at which they aim, but experience, so far as it has gone, justifies us in believing that the lot of an unconvicted prisoner who is willing to work, and also known as a trade, may be considerably improved; and we have evidence that already money earned under the new regulation has been employed successfully by prisoners in paying counsel for their defence. Generally speaking, governors speak favourably of the new departure in this direction. The visiting committee of the Northampton Prison have submitted a resolution to the effect that "the experimental modifications in the treatment of prisoners awaiting trial have had a good effect. Several prisoners have taken advantage of the opportunity afforded them of doing useful work." The visiting committee of Plymouth Prison expressed a similar opinion.

**Free Defence.**—In this connection it is interesting to note that the governor of Dorchester Prison has brought to our notice an arrangement which has been come to by the barristers of the Quarter Sessions Mess for the county of Dorset, by which they hope to provide gratuitously some means of defence for every undefended prisoner committed for trial at quarter sessions who is willing to accept the same, and arrangements have been made by which the governor of the gaol communicates to all such prisoners on the morning of the sessions this arrangement for gratuitous defence.

## CONCERNING SOLICITORS' GOWNS.

THE following account of proceedings in the County Court of Brentford on the 11th inst. is given by the *Daily Mail*:—

During the hearing of judgment summonses before his Honour Judge Shortt, K.C., a solicitor, a stranger to the court, rose, ungowned, and said that he was for the plaintiff in the case under consideration.

For a few moments the judge gazed at him in silence, and then inquired, "Who and what are you?"

"I am a solicitor, sir," replied the lawyer, in a tone of surprise.

"Oh, next case; this is struck out," remarked the judge.

For a few seconds the solicitor stood stupefied, and then ejaculated, "What is that for?"

"Don't interrupt the business of the court," said his honour.

It being privately explained to the solicitor that his honour made it a practice never to hear counsel or solicitors unless they were fully gowned, he exclaimed, "It is very hard."

"What is that you say?" demanded the judge; "you had better be very careful; I can send you to prison."

The solicitor rose and walked out of court, saying in an audible "aside" as he went, "I should like to see you do it."

The judge, with outstretched hand, called out, "Usher, arrest that man."

Immediately two officers sprang forward to do his bidding, and in a few moments the solicitor, who had by this time left the court, was brought back.

"Don't hurt him, but take him to some room where he can think it over," said the judge.

As the officers were removing the solicitor to another part of the building, he exclaimed: "I am a good subject and a solicitor. I did not know the practice of this court."

"What is that?" demanded the judge.

"I did not know the practice of this court," faltered the solicitor.

"It is very easy to learn, and you should have done so," retorted the judge, adding impressively: "As long as I am here everyone shall keep order, from the highest counsel to the lowest litigant."

"I am very sorry," said the lawyer.

"You don't appear to be very sincere in your apologies; perhaps you had better be kept in custody a little longer," retorted the judge.

"I offer you my sincere apologies, then, your honour," said the solicitor after some hesitation.

"Humph! You had better repeat that," said Judge Shortt. The unfortunate lawyer did so, whereupon his honour remarked: "You can now quietly leave the court."

The solicitor walked out, declining to furnish his name to the reporters.

## LEGAL NEWS.

### OBITUARY.

The death is announced of the Hon. ARTHUR CHILD, Chief Justice of St. Lucia. He was the son of Mr. Henry Child, of Avenue House, Clapton, a solicitor. He was called to the bar in 1876 and joined the South-Eastern Circuit, practising also at the Central Criminal Court and in the Lord Mayor's Court. In 1882 he was appointed stipendiary magistrate at San Fernando, Trinidad, and was acting puisne judge of the island in 1887-8. In 1889 he acted as Chief Justice at St. Lucia, and the following year was confirmed in the appointment. He administered the Government there in 1894-5, and he was also a member of the Court of Appeal of the Windward Islands.

### GENERAL.

Mr. Phillip Edward Morrell, solicitor, has been adopted as the Liberal candidate for South Oxford at the next election.

Lord Brampton celebrated on the 14th inst. his eighty-fifth birthday, his lordship having been born on the 14th of September, 1817.



An interesting point under the Bankruptcy laws is, says the *Times*, now under the consideration of the Board of Trade in connection with the estate of John Henry Redgrave, under remand in connection with the forged leases case. Some years ago he was made bankrupt in Cheltenham, but paid no dividend and never obtained his discharge. He has now been made bankrupt in Blackpool, where he opened an elaborately-furnished school; but the Gloucestershire Official Receiver, under bankruptcy law, has claimed the whole of these assets to satisfy the creditors under the first bankruptcy.

Mr. Justice Bucknill, who was present at a cricket festival at Epsom, indulged, says the *Daily Mail*, in some reminiscences when proposing the toast of "The Chairman" (a police superintendent). There was, said his lordship, a time when as a struggling barrister he defended prisoners in the Western Circuit, or, in fact, wherever he could find a guinea or a couple of guineas. If called upon to defend a man who had been convicted a number of times he was always told by the solicitor by whom he was instructed: "Never mind, abuse the police," and as a policeman was generally in the prosecutions he had to go for him.

The following are the dates of the commission days fixed by the Lord Chief Justice and Mr. Justice Phillimore for the autumn sittings on the Midland Circuit—viz, Aylesbury, Monday, November 10; Bedford, Wednesday, November 12; Northampton, Saturday, November 15; Leicester, Wednesday, November 19; Lincoln, Monday, November 24; Derby, Friday, November 28; Nottingham, Tuesday, December 2; Warwick, Friday, December 5; Birmingham, Tuesday, December 9; The Lord Chief Justice will proceed on the circuit alone until Birmingham is reached, when he will be joined by Mr. Justice Phillimore. Prisoners only will be tried, except at Birmingham, where civil causes will also be taken.

An important point of registration law, affecting, it is said, as many as 2,000 Wesleyan ministers, was, says the *Times*, heard on Wednesday before Mr. W. H. Clay, reviving barrister at Gloucester. It was claimed on behalf of the Rev. H. Smith and the Rev. J. Williams that they had a right to vote in respect of houses occupied by them in Heathville-road and Falkner-street during their ministerial stay in the city. The Rev. J. Williams stated that he had lived in the house in Falkner-street for twelve months, and that occupancy of the house was part of his emolument. The barrister asked how he could go on the list if he only entered into occupation in September? Mr. Arnold, the Liberal agent, submitted that Wesleyan ministers were entitled under section 22 of the Municipal Corporations Act, 1882, which allowed a vote where, *inter alia*, a person succeeded to qualifying property by promotion to a benefice or office. Mr. Clay did not think it was a case of succession by means of promotion to a benefice, and the votes were disallowed. In view of the importance of the matter, however, Mr. Clay agreed to state a case for the High Court.

Messrs. Edward Evans & Co. write to the *Times* to point out that amendments of importance would take effect on the 15th inst. in all the States of the Convention—that is to say, in Belgium, Denmark, France, Italy, Japan, Netherlands, Norway, Portugal, Sweden, Switzerland, Tunis, and United States. The principal amendments taking effect are as follows: (a) The priority granted to applicants for patents, designs, or trade-marks in any of the States of the Convention shall be twelve months for patents and four months for designs or trade-marks, reckoned from the date of the application in the State in which the applicant is domiciled; (b) the patents applied for in any of the States of the Convention by persons entitled to the privileges thereof shall be independent in duration of patents obtained for the same invention in other States whether parties to the Convention or not; (c) no patent applied for under the Convention shall incur forfeiture for non working until the expiration of a minimum period of three years from the date of application. The extended period of priority given to applicants under the Convention has been granted in Great Britain since the 1st of January, 1902, by the amending Act that came into force on that date.

The death is announced of Mr. John C. Bullitt, an eminent American lawyer. He was born in 1824, and went to Philadelphia, where he was, says the *Times*, for a long time the leading commercial lawyer. He was a counsel for General Fitz-John Porter in the long and successful endeavour which the latter conducted when demanding restoration to the United States army. Mr. Bullitt was also well known as counsel for the English bondholders in the litigation entered upon by them against the Reading Railway management. He was also for many years counsel for the banking house of Drexel & Co., and was formerly a director of the Northern Pacific Railroad. In 1849, when Mr. Bullitt was twenty-five years of age, he was made attorney for the Bank of Kentucky, which had a claim against the Schuylkill Bank of Philadelphia for more than 1,000,000 dolars. The latter bank was the transfer agent for the Bank of Kentucky. Its cashier issued 1,318,500 dolars of Bank of Kentucky Stock, for which it was adjudged by the court to be responsible. Ten years before the case came into Mr. Bullitt's hands, a suit was begun against the Schuylkill Bank, and, in 1846, a judgment for £1,180,000 dolars was entered against it. In 1849 the higher courts affirmed this judgment, after which the president of the Bank of Kentucky turned over all the assets of the Schuylkill Bank for realization to Mr. Bullitt. He accepted the task, continued the work thus begun, and it was only in May last, fifty-three years after he had begun his connection with it, that he finally settled the last claims against it. Mr. Bullitt regarded this case as the foundation of his future great success.

The last issue of the Journal of the Society of Comparative Legislation contains an address which has been presented by the society to the

Colonial Premiers and others. After pointing out that the work done by the society has been recognized by the Board of Trade, which has promised an annual subscription, the address says that a further development of the work is believed to be both practicable and opportune. The society might be made the nucleus of an organization performing work akin to that of the *Comité de Législation Etrangère*, appointed by the Ministry of Justice in France, and the "Commissioners to promote uniformity of legislation in the United States," appointed by the State of New York; and it is suggested, amongst other things, that the society might form one or more standing committees for the collection and interchange of information in regard to legislation between different parts of the Empire, the United States of America, and other foreign countries; it might aid in assimilating and codifying large parts of the laws of the Empire; it might help to codify, so far as is practicable, the commercial law of the Empire—to give it that which is possessed by France, Germany, Italy, and, Holland, indeed, by most of the chief States of the world; it might give useful assistance in regard to such questions as naturalization, legal education, enforcement of judgments of colonial courts, and so on; it might confer and advise as to the form and methods of legislation in the United Kingdom, India, and the colonies; it might answer inquiries, or conduct investigations or obtain reports from competent authorities, as to foreign legislation upon questions which occupy the attention of the Imperial Parliament or of Colonial Legislatures.

On Monday, says the *Daily Mail*, the International Arbitration Court at the Hague was opened. The court's first case concerns a rather trifling ecclesiastical dispute between the United States and Mexico relating to certain church estates claimed by the Mexican Jesuits in California. The arbitrators appointed by the United States are Professor Matzen, a Lutheran professor, of Copenhagen; Sir Edward Fry, an Englishman; and Professor Asser, a Jewish-Dutch privy councillor. The Mexican Government appointed M. Savornin Lohman, a Calvinist Dutch statesman, and Professor De Martens, of the Greek Church, attached to the Russian Foreign Office. The arbitrators selected Professor Matzen as the presiding umpire. The court room is a spacious and modestly-furnished apartment. The arbitrators adjudicating the dispute were received by the Ambassadors and the administrative officers of the Permanent Arbitration Court, and were welcomed by M. Van der Lynden, the Dutch Foreign Minister, who recited the history of the Czar's initiative and the Hague Convention. He added: "Since January, 1901, our court was, so to speak, waiting for cases. Ours was the lot of briefless barristers and judges without cases. The comatose old-world Powers appeared unwilling to appeal to peaceful methods, to which they all had subscribed and proclaimed excellent. It was left to two new-world Republics spontaneously to set Europe an example and to give an impetus to the peace machine. They have saved the court from desuetude." The arbitrators then seated themselves in their allotted places behind the arms of their respective States. Professor Matzen, the president, declared the court open, stating that French would be the official language, though English would be permissible. The debates would be public, and official reports would be issued. The pleadings then commenced.

Instructions have now been issued by the City Lands Committee of the Corporation for pulling down the female wing at the Old Bailey, and, says the *Times*, it is hoped to shortly commence the demolition of the remainder of Newgate for the purpose of erecting the new Central Criminal Court. The female wing and the Sessions House have long been the property of the Corporation, and it is only that portion of the prison known as the male wing which is being acquired from the Government. Until the Brixton Gaol is completed the Government do not see their way to effect the transfer, but it is thought that very little further delay will take place. Immediately the City authorities get possession operations will be started on a large scale. The dismantling of the huge building is considered likely to prove a rather difficult and protracted undertaking, and no approximate date yet been given for the final execution of the scheme. The design for the new Sessions House provides for an imposing edifice, surmounted by a dome, with the main frontage in the Old Bailey. The Newgate-street frontage will be curved. It is at this part of the building that the two principal court rooms will be situated, separated from the roadway by a corridor, so as to prevent any disturbance to business from outside noise. The domed central hall is to be on the first floor. There will probably be a bronze statue of Justice on the summit of the dome, and allegorical figures will ornament the main entrance. The walls will be of brick, faced with Portland stone. It is the intention to make the courses of stone of the principal elevation of the same height as those of the existing walls, the object of this being to allow of as much as possible of the old building being used should the material be found to be sound. Temporary cells are now being fixed for the accommodation of prisoners while the work is in progress. The present Sessions House will not be pulled down until some portion of the new building is finished, so that the administration of justice at the Old Bailey will not be interfered with during the time occupied in carrying out the scheme. The contract price is £282,000.

WARNING TO INTENDING HOUSE PURCHASERS AND LESSORS.—Before purchasing or renting a house, even for a short occupation, it is advisable to have the Drains and Sanitary Arrangements independently Tested and Reported upon. For terms apply to The Sanitary Engineering Co. (H. Carter, C.E., Manager), 65, Victoria-street, Westminster. Established 27 years. Telegrams: Sanitation, London. Telephone: 316 Westminster.—[ADVT.]

## THE PROPERTY MART.

## RESULTS OF SALES.

Messrs. H. E. FOSTER & CRAWFIELD held their Fortnightly Sale of Reversionary Interests, &c., on Thursday, September 18th, at the Mart, E.C., when the following Lots were sold:—

## ABSOLUTE REVERSIONS:

To 23, 147 Consols; life 74 ... .. Sold £5,500

To Two Freehold Houses at Highbury and Barnsbury ... .. 945

## DEBENTURES:

£10,000 in George Gill & Sons (Limited) ... .. 1,750

They also held their Fortnightly Property Auction on Wednesday, the 17th inst., with the following result:—

35 acres of Land at Walthamstow ... .. Sold 8,800

Two Freehold Cottages at West Croydon ... .. 300

Freehold Cottage at Sydenham ... .. 180

A Freehold Estate at Cheltenham, comprising 118 acres, was Not Sold.

## WINDING UP NOTICES

London Gazette.—FRIDAY, SEPT. 12.

## JOINT STOCK COMPANIES.

## LIMITED IN CHANCERY.

ANGLO-BELGIAN WILBEACH INCANDESCENT GAS LIGHT CO, LIMITED.—Creditors are required, on or before Oct 23, to send their names and addresses, and the particulars of their debts or claims, to John Henry Bence, 17, Old Broad st., Stephenson & Co, Lombard st., solvers for the liquidator.

EXPLORING AND GOLD MINING ASSOCIATION, LIMITED.—Creditors are required, on or before Oct 18, to send particulars of their claims to Pakeman & Read, 11, Ironmonger la.

MANCHESTER PUBLIC HALL CO, LIMITED.—Creditors are required, on or before Sept 27, to send their names and addresses, and the particulars of their debts or claims, to W. G. Synnot, Manchester.

NEW BURLINGTON TROY LAUNDRY CO, LIMITED.—Ptn for winding up, presented Sept 8, directed to be heard before Byrne, J, on Oct 23. Gill & Fugh, Earl's Court rd, Kensington, solvers for ptnr.

NORWICH VINEGAR AND DISTILLERY CO, LIMITED.—Ptn for winding up, presented Sept 8, directed to be heard at the Shire Hall, Norwich, Oct 23. Steward, Tombland, Norwich, for Judge & Priestley, Broad at bridge, Liverpool st, solvers to ptners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 21.

PEAT COKE SYNDICATE, LIMITED.—Creditors are required, on or before Oct 15, to send particulars of their claims to Pakeman & Read, 11, Ironmonger la.

READ CAMPBELL & CO, LIMITED.—Creditors are required, on or before Oct 18, to send their names and addresses, and particulars of their debts or claims, to E. H. Knowles, Broad at v.

WEAR'S WORCESTER TILES CO, LIMITED.—Ptn for winding up, presented Sept 8, directed to be heard at the Shire Hall, Worcester, on Oct 21, at 10 o'clock. Tree, Worcester, solvers for creditors. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 23.

London Gazette.—TUESDAY, SEPT. 16.

## JOINT STOCK COMPANIES.

## LIMITED IN CHANCERY.

ALLEN & BAKER, LIMITED.—Creditors are required, on or before Oct 18, to send their names and addresses, and the particulars of their debts or claims, to Albert G. Odman, Taunton Road & Co, Taunton, solvers to liquidator.

AMERICAN FLEXIBLE METALLIC TUBING CO, LIMITED (IN VOLUNTARY LIQUIDATION).—Creditors are required, on or before Sept 30, to send their names and addresses, and the particulars of their debts or claims, to Thomas Sidney Wedderell and William Bowler, 75, Coleman st., Faislaful & Owen, Victoria st, Westminster, solvers to liquidators.

BUCKLE & CO, LIMITED (IN VOLUNTARY LIQUIDATION).—Creditors are required, on or before Oct 1, to send their names and addresses, and the particulars of their debts or claims, to T. F. Lockhurst, Baithe Bank Chambers, Plymouth. Shelly & Johns, Plymouth, solvers to liquidator.

INCANDESCENT TRUST, LIMITED.—Ptn for winding up, presented Sept 12, directed to be heard before the Vacation Judge on Sept 24. Harris, Leadenhall st, solvers for ptnr. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Sept 23.

JOHN LYNGHT, LIMITED (St Vincent's Ironworks, Bristol).—Creditors are required, on or before Nov 1, to send their names and addresses, and the particulars of their debts or claims, to Henry George Hill and Edward Davey, St Vincent's Ironworks, Bristol. Press & Press, Bristol, solvers to the liquidators.

MONTFORD LOAN CO, LIMITED.—Ptn for winding up, presented July 23, directed to be heard Oct 23. W. H. Hastings, 24, John st, Bedford row, solvers to the ptnr. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 21.

PRESERVATION TEA CO, LIMITED.—Ptn for winding up, presented Sept 8, directed to be heard at the Town Hall, Cardiff, on Oct 2. Dunn & Co, 85, Gresham st, solvers for the ptners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 1.

QUEEN ANNE'S BATTERY TRADING CO, LIMITED (IN LIQUIDATION).—Creditors are required, on or before Oct 1, to send their names and addresses, and the particulars of their debts or claims, to William Lewis, Whimple st, Plymouth. Shelly & Johns, Plymouth, solvers to the liquidator.

ROMANIAN OIL EXPLORATION CO, LIMITED (IN LIQUIDATION).—Creditors are required, on or before Nov 30, to send their names and addresses and the particulars of their debts or claims, to Alfred Edward Mallow Davis, 28-31, Bishopgate st Within.

VIALL COPPER CO, LIMITED.—Ptn for winding up, presented Sept 4, directed to be heard on Oct 23. Carpenter & sons, 5, Laurence Pountney ln, solvers for the ptnr. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 21.

WEST GTON BUREAUX, LIMITED.—Creditors are required, on or before Oct 25, to send their names and addresses, and the particulars of their debts or claims, to Mr Ben Moss, 10, Hulton g'n.

## CREDITORS' NOTICES.

## UNDER ESTATES IN CHANCERY.

## LAST DAY OF CLAIM.

London Gazette.—FRIDAY, SEPT. 12.

ROSS, F J C, Eastbourne, Pangrove rd, Penang, Barrister at Law Nov 30 Hongkong and Shanghai Banking Corporation v Ross, Registrar, Supreme Court of the Straits Settlements Sharp, 5, Union st, Penang Straits Settlements

## UNDER 22 &amp; 23 VICT. CAP. 35.

## LAST DAY OF CLAIM.

London Gazette.—FRIDAY, SEPT. 12.

BRAUNTON, JOHN, Wilmsham, Chester Oct 10 Heathcote, Manchester  
BUSH, EDWARD, Epsom Oct 31 Oliver & Co, Coleman st  
CAUTION, JOHN CAUTION LINNEY, Wigan, Solicitor Nov 1 Wright & Appleton, Wigan  
CHAPLIN, ELIZA, Whitwick, Leicester Sept 23 Fisher & Co, Ashby de la Zouch  
CHARD, WILLIAM, Hammermith, Insurance Broker Oct 23 Hanson & Co, Vernon st, West Kensington  
CHURCHILL, JAMES DIXON, Ilfracombe Oct 30 Few & Co, Surrey st, Strand  
CLARK, JAMES, Dover, Jeweller Oct 10 Mowll & Mowll, Dover  
DAVIES, MORGAN, Vanhaug Yaysywl, Llanwono, Glam, Farmer Sept 30 Lewis & Jones, Merthyr Tydfil  
DAVISON, ROBERT NICHOLS, Sandy Oct 14 Chew, Biggleswade  
ELDRIDGE, JOHN SMITH, Marchwood, Southampton Oct 18 Paris & Co, Southampton  
EVANS, MARY, Pontypridd Oct 9 Spickett & Sons, Pontypridd  
HICOT, ANNIE, Malda hill Oct 31 Janson & Co, College hill  
IRVINE, DAVID GOW, Seston Carew, Durham Dec 31 Turnbull & Tilly, West Hartlepool  
JEE, JOHN DENISON, Liverpool, Surveyor Nov 9 Morecroft & Co, Liverpool  
JERKYN, OSBORN, Lincoln's inn fields, Solicitor Oct 9 Jenkyn & Son, Lincoln's inn fields  
LAWTON, FRANCES GRACE, Darnedon, Suffolk Oct 31 Warnes & Son, Ipswich  
LISTER, JANE, Leyland, Lancs Oct 31 Cant & Falrer, Penrith  
MARLOW, JAMES JOHNSON, O'd Bisford, Nottingham, Builder Oct 14 Rorke & Jackson, Nottingham  
MARSH, JULIANA, Lyncoft gdn, West Hampstead Oct 24 Wheatley & Co, Stone bridge, Lincoln's inn  
MUNDY, MARY JANE, Ewell Oct 12 Baynes, Bexley Heath  
MUNN, JOHN, Waterloo, St Liverpool Oct 9 Grundy & Co, Manchester  
NEWBERRY, JOHN RICHARD, Taigmouth, Hotel Proprietor Oct 22 Baker & Co, Newnham  
PARROTT, ELIZA, Woodford Oct 18 Ebell & Gordon, King st, Chapside  
POWELL, WILLIAM POWELL, Canterbury Hores & Co, Lincoln's inn fields  
POWELL, ALICE HARRIETT, Manchester, Cloth Dresser Oct 14 Wragg, Manchester  
PRICE, HARRY, West Hampstead Oct 11 Routh & Co, Southampton st, Bloomsbury  
REED, ISABELLA, Newcastle upon Tyne Oct 1 Pybus & Son, Newcastle upon Tyne  
SANDERSON, ELIZA, Scarborough Oct 31 Turnbull & Son, Scarborough  
SLOGGETT, WILLIAM HENRY, Paignton, Devon Oct 23 Gill, Devonport  
SOUTHWEST HENRY EDWARD, Hammermith, Grocer Oct 25 Hanson & Co, Vernon st, West Kensington  
WAITES, WILLIAM, Em'ey, Yorks, Rope Manufacturer Oct 10 Armitage & Co, Huddersfield  
WALTON, JOHN LATHAM, Ironbridge, Salop, Machinist Oct 15 Thora-Pudsey, Ironbridge  
WARRINGTON, JOHN, Gorton, Lancs, Beerhouse Keeper Oct 13 Chambers, Denton, W Manchester  
WARD, ALFRED JOHN BEWICK, Bedford Park Oct 31 Ward, Newcastle upon Tyne  
WARD, THOMAS FARRIDGE, Newcastle upon Tyne Oct 31 Ward, Newcastle upon Tyne  
WATSON, ELLEN, Gateshead Oct 9 Daggett & Grey, Newcastle upon Tyne  
WHITLEY, ADA RINDER, Lingfield Nov 1 Humphreys & Co, Halifax  
WHYMAN, SYDNEY JOHN LEWIN, Surbiton Oct 8 Martyn & Martyn, Temple gdn, Temple  
WILKINSON, JOSEPH, Kibworth Beauchamp, Leicester Oct 8 Berridge & Sons, Leicester  
WILKINSON, MARK, Dewsbury, Draper Oct 13 Walker, Dewsbury

London Gazette.—TUESDAY, SEPT. 16.

A'BARROW, ELIZABETH, Henstridge, Somerset Oct 20 a'Barrow, Lincoln's inn fields  
AIBRY, WALTER, Larkhall, Bath Nov 30 Turner & Son, Gt Alist, Whitechapel  
ALORO, ROBERT, Menai Bridge, Anglesey, Land Surveyor Nov 1 Jones, Bangor  
ATCHELSON, ELIZABETH ROBERTA, Sunderland Nov 1 Kidson & Co, Sunderland  
BELL, GEORGE JOHN, North Shields Oct 15 Byott & Swan, Newcastle upon Tyne  
BERNER, ANDREW BATEMAN MANSFIELD, Englefield Green, Surrey Oct 6 Bliss & Fisher, Bury  
BITTON, ALFRED, Devonport rd, Unbridge rd, Solicitor Oct 25 Hextalls, Martia's ln Bury  
BIRME, THOMAS JOHNSON, Bradford, Staff Buyer Oct 14 Wright & Co, Bradford  
CHARLTON, JOHN, Weston super Mare Oct 15 Ford, Weston super Mare  
HISHOLM, SAMUEL ROBERTSON, North Shields Oct 25 Brown & Holliday, North Shields  
COOPER, JOHN WHITTAKER, Cornhill mansions, Earls Court, Bank Manager Dec 1 Hays & Co, Clement's ln  
COULSON, THOMAS WILLIAM, North Shields, Pawnbroker Oct 25 Brown & Holliday, North Shields  
DUNN, MARY, Howden, York Oct 11 Dixons & Horne, Wakefield  
EDWARDS, DAVID EDWARD, Tonypandy, Glam, Surgeon Oct 20 Davies & Co, Pontypridd  
EVANS, JOHN OWEN, Panteg, New Quay, Cardigan Oct 1 White, Carmarthen  
GREGORY, GEORGE PEARSON LEE, Smethwick, Stafford, Surgeon Oct 27 Bickley, Birmingham  
HARDY, EMMA, Newport, I of W Oct 15 Bailey, jun, Newport  
HARRIS, ANDREW, Sunderland Oct 25 Taylor, Sunderland  
HEDLEY, WILLIAM, North Shields Oct 25 Brown & Holliday, North Shields  
HERSTLEY, SAM EDWARD KCB, Richmond, Surrey Oct 15 Wigan & Co, Norfolk House, Victoria Embankment  
JARVIS, MATILDA, Tonbridge Oct 31 Cripps & Co, Tunbridge Wells  
KEVIE, WILLIAM, Brailie, Warwick, Farmer Oct 17 Hancock & Co, Shipston on Stort  
LAWRANCE, ELIZABETH, St Albans Oct 31 Halliday & Morris, Bedford  
LOBACK, CAPT CHARLES WARREN, Srinagar, Kashmir, India Sept 30 Hoggoods & Downes, Spring gdns  
LOWNDEN, DANIEL, Tillington, Stafford, Yeoman Oct 16 Burke & Pickering, Stafford  
MACKAY, HANNAH, Cheltenham Oct 6 Griffiths & Co, Cheltenham  
MARRIS, MARY ANN, Leeds, Stationer Oct 16 Jubb, Leeds  
MOSS, WILLIAM OLDMAN, Preston, Overlooker Oct 31 Cookson, Preston  
MURCHISON, HARRIET ISABELLA, G' Cumberland pl, Nov 6 Hewies, Lincoln's inn fields  
MURRELO, ELIZABETH, Ramsgate Oct 16 Rogers & Co, Victoria st  
PARKER, WILLIAM, Wimborne, Somerset, Yeoman Sept 29 Powell, Banwell  
PIKE ANN, Worcester Oct 31 Sharp, Worcester  
SCOTTS THOMAS JOHN, Streatham, Licensed Victualler Oct 31 Hawker, Tower Bridge approach  
SHACKLETON, GEORGE, Keighley, York, Innkeeper Oct 31 Naylor & Oars, Keighley  
RIMMON, CHARLES TURNER, Gulsford, Barrister Oct 24 Finsgate & Co, Craig's st, Charing cross  
SMITH, CHARLES, Northampton, Dentist Oct 16 Becke's Green, Northampton  
SMITH, HENRY WINDER, Liverpool, Wine Merchant Oct 18 Norton & Co, Liverpool  
STANLEY, ALFRED, Walsall, Buckle Manufacturer Nov 1 Wilkinson & Co, Walsall  
STEWART, MARGARET, Everton, Liverpool Oct 30 Lowndes & Co, Liverpool  
TAYLOR, JOHN, Sheffield Oct 17 Smith & Co, Sheffield  
TOWLER, JOSEPH, Ripon, York Nov 1 Wise & Son, Ripon



## BANKRUPTCY NOTICES.

London Gazette.—FRIDAY, SEPT. 12.

## RECEIVING ORDERS.

ALLPORT, FREDERICK PERCY ALEXANDER, Birmingham, Butcher Birmingham Pet Sept 4 Ord Sept 4  
 BATESFORD, CHARLES, Birmingham, Ironfounder Birmingham Pet Sept 6 Ord Sept 6  
 BUCKNALL, J. ALFRED, Manchester, Cotton Merchant Manchester Pet Aug 20 Ord Sept 8  
 BULMER, ARTHUR GIBSON, Gulseborough, Mineral Water Manufacturer Stockton on Tees Pet Sept 2 Ord Sept 9  
 BUTLER, FREDERICK GEORGE, Fareham, Hants, Tailor Portsmouth Pet Sept 5 Ord Sept 5  
 CLEIST, CHARLES, Wandsworth Common, Grocer Wandsworth Pet Sept 9 Ord Sept 9  
 COWARD, HENRY, Mere, Wilts, General Dealer Salisbury Pet Sept 5 Ord Sept 5  
 DANIELS, CHARLES, Ipswich, Greengrocer Ipswich Pet Sept 8 Ord Sept 8  
 DAVIES, DAVID, Walthamstow, Draper High Court Pet Aug 20 Ord Sept 8  
 FLETCHER, THOMAS, Bolton, House Painter Bolton Pet Sept 9 Ord Sept 9  
 FROST, THOMAS, Bury, Stonemason Bolton Pet Sept 9 Ord Sept 9  
 GODRICKE, FANNY, Wickham, Hants, Flour Miller Portsmouth Pet Sept 5 Ord Sept 5  
 GOODWIN, ARTHUR, Yalding, Kent, Licensed Victualler Maidstone Pet Sept 9 Ord Sept 9  
 GRIFFITH, MARGARET, Belize rd Croydon Pet Sept 8 Ord Sept 8  
 HARGREAVES, WILLIAM THOMAS, Tootington sq High Court Pet Sept 10 Ord Sept 10  
 HENLEY, ALFRED CHARLES, Peterborough, Grocer Peterborough Pet Sept 9 Ord Sept 9  
 HET, STEPHEN, Burnley, Fruitcutter Burnley Pet Sept 10 Ord Sept 10  
 HOWES, WALTER, Rushden, Northampton, Boot Manufacturer Northampton Pet Sept 9 Ord Sept 9  
 ISAACS, ISAAC, Sunderland, Cabinet Maker Sunderland Pet Aug 19 Ord Sept 9  
 KEENAN, WILLIAM, Walthamstow, Innkeeper High Court Pet Sept 8 Ord Sept 8  
 KIRK, ALBERT EDWIN, Wandsworth, Beer Retailer Wandsworth Pet Aug 19 Ord Sept 10  
 KNIGHT, EDITH, ORCHILA ANNIE, Blackpool, Restaurant Proprietress Preston Pet Sept 8 Ord Sept 8  
 LEWIS, ROGER WILLIAM, Springfield, Carmarthen, Schoolmaster Carmarthen Pet Sept 8 Ord Sept 8  
 LISTER, WALTER, Beccord, Yorks, Grocer Kingston upon Hull Pet Sept 9 Ord Sept 9  
 LITTLEWOOD, HARRY BRANLEY, Kennington rd, Clerk Greenwich Pet Sept 9 Ord Sept 9  
 LORD, DANIEL THOMAS, Penarth, Glam, Builder Cardiff Pet Sept 9 Ord Sept 9  
 MCCRIE, EMILY SARAH, Maidstone Maidstone Pet Sept 10 Ord Sept 10  
 MADREN, FRANK, Colwyn Bay, Denbigh, Builder Bangor Pet Aug 23 Ord Sept 9  
 MARDEN, GEORGE, Iping, Sussex, Licensed Victualler Brighton Pet Sept 8 Ord Sept 8  
 MARRIOTT, ERNEST WATSON, Hereford, Cycle Agent Hereford Pet Sept 6 Ord Sept 6  
 NICHOLS, DAVID, Rochdale, Tobacconist Rochdale Pet Sept 10 Ord Sept 10  
 PIPER, ERNEST and ALFRED PIPER, Jun, Wood Green, Mercantile Tailors Edmonton Pet Sept 9 Ord Sept 8  
 POPE, ALFRED, Cardiff, accountant Cardiff Pet Sept 8 Ord Sept 8  
 RICHARDSON, GEORGE ARTHUR, Bradford, Builder's Merchant Bradford Pet Aug 29 Ord Sept 9  
 REGAL, A. Church in, Whitechapel, Manchester Warehouseman High Court Pet Aug 28 Ord Sept 8  
 SMITH, CHARLES FLUDEN, Southampton, Dairy Proprietor Southampton Pet Sept 9 Ord Sept 9  
 SMITH, WILLIAM THOMAS, Sheffield, Licensed Victualler Sheffield Pet Sept 8 Ord Sept 8  
 STUART, HENRY PAUL, Wandsworth, Licensed Victualler Wandsworth Pet June 30 Ord Sept 10  
 SUTCLIFFE, ARTHUR, Lancaster, Draper Preston Pet Sept 9 Ord Sept 9  
 WARD, THOMAS, Leicester, Boot Manufacturer Leicester Pet Sept 9 Ord Sept 9  
 WATSON & SON, JOHN, Beccord Mill, nr Nottingham, Silk Manufacturers Nottingham Pet May 3 Ord Sept 8  
 WHEELDON, CHARLES, New Normanton, Derby, Carter Burton on Trent Pet Sept 9 Ord Sept 9  
 WILLIAMS EDWARD, Rhyll, Flint, Timber Merchant's Clerk Bangor Pet Sept 8 Ord Sept 8  
 WILLIAMS, WILLIAM, Pontarddulais, Glam Swansea Pet Sept 1 Ord Sept 10

Amended notice substituted for that published in the London Gazette of Sept 5:  
 HYDE, JAMES WYTHINGTON, Manchester, Company Promoter Manchester Pet July 24 Ord Sept 1

## FIRST MEETINGS.

ANDREW, WALTER BUTTERWORTH, Manchester, Builder Sept 19 at 3.30 Off Rec, Broomfield, Manchester  
 BARTLEY, OSWALD SMART, Paisgton, Devon, Solicitor Sept 19 at 11 Off Rec, 6, Atholmount, Plymouth  
 BATELY, HENRY, Walsall, Metal Worker Sept 19 at 13 Off Rec, Wolverhampton  
 BEAL, SAMUEL, Sheffield, Painter Sept 19 at 11.30 Off Rec, Fictoria in, Sheffield  
 BOOTH, FRED, Robertson, Liversedge, Yorks, Publican Sept 19 at 8 Off Rec, Bank Chambers, Bailey  
 BRANELL, ELLIS, Jun, Brighton, Circus Proprietor Sept 19 at 11.30 A, Pavilion bldg, Brighton  
 COWARD, MARY, Mere, Wilts, General Dealer Sept 19 12.30 Off Rec, Endless st, Salisbury  
 DANIELS, CHARLES, Ipswich, Greengrocer Sept 24 at 11 Off Rec, 84, Prince's st, Ipswich  
 DAVIES, DAVID, Walthamstow, Draper Sept 23 at 11 Bankruptcy bldg, Carey st  
 FARRELL, LEONARD, Baywater, Commission Agent Sept 23 at 12 Bankruptcy bldg, Carey st

FELDMAN, EPHRAIM JACOB, Upper st, Islington, Warehouseman Sept 23 at 12 Bankruptcy bldg, Carey st  
 FIFTH, THOMAS, Heston, Bradford, Farmer Sept 19 at 11 Off Rec, 31, Manor row, Bradford  
 FLETCHER, THOMAS, Bolton, House Painter Sept 23 at 3.30 19, Exchange st, Bolton  
 FORSTER, JOSEPH, and JOHN WILLIAM LODGE, Leeds, Tallow Merchants Sept 19 at 11 Off Rec, 22, Park row, Leeds  
 FRANKLIN, WILLIAM, Broomley, Builder Sept 19 at 11.20 24, Railway sq, London Bridge  
 FROST, THOMAS, Bury, Stone Mason Sept 23 at 3 19, Exchange st, Bolton  
 GOODWIN, ARTHUR, Yalding, Kent, Licensed Victualler Sept 24 at 10.30 Off Rec, 9, King st, Maidstone  
 HALL, JESSE, Leeds Sept 19 at 12 Off Rec, 22, Park row, Leeds  
 HART, SIRBERT COLBURN, Teddington, Auctioneer Sept 22 at 11.20 24, Railway sq, London Bridge  
 HARTY, RAY, RICHARD, New Broad st, Commission Agent Sept 23 at 11 Bankruptcy bldg, Carey st  
 HEYHOE, DAVID, New Cleethorpes, Sept 19 at 11 Off Rec, 15, Osborne st, Great Grimsby  
 JEFFERSON, MATTHEW, Water in, Ludgate hill, Leather Merchant Sept 23 at 12 Bankruptcy bldg, Carey st  
 KING, ARTHUR CLEMENT, Holland rd, Kensington, Cab Proprietor Sept 24 at 12 Bankruptcy bldg, Carey st  
 KIRBY, GEORGE, Clapton Sept 22 at 12 Bankruptcy bldg, Carey st  
 KIRBY, THOMPSON, Sale, Chester, Builder Sept 19 at 2.30 Off Rec, Byrom st, Manchester  
 LLOYD, FRANCIS THOMAS, Gilwern, Brycon, Cycle Agent Sept 22 at 3 135, High st, Merthyr Tydfil  
 MCCRIE, EMILY SARAH, Maidstone Sept 24 at 10.45 Off Rec, 9, King st, Maidstone  
 MACGUTHRICK, ROBERT THOMAS, Wigan, Draper Sept 19 at 3 Off Rec, Byrom st, Manchester  
 MANCHESTER, TOM, Miffield, Yorks, Ironmonger Sept 19 at 11 Off Rec, Bank Chambers, Batley  
 MARSHALL, WILLIAM, Cophall av, Company Promoter Sept 19 at 12 Bankruptcy bldg, Carey st  
 OTTEWELL, HENRY RICHARD, Maidstone, Builder Sept 21 at 11 9, King st, Maidstone  
 POTTER, JOHN WILLIAM, Stockton on Tees, Builder Sept 23 at 11 Off Rec, 3, Albert rd, Middlesbrough  
 PRICE, JAMES, Ebbs Vale, Conn, Collier Sept 19 at 3 135, High st, Merthyr Tydfil  
 ROWLEY, NEWTON LEWIS, Longton, China Manufacturer Sept 19 at 8 North Stafford Hotel, Stoke on Trent  
 SMOAL, A. Whitechapel, Manchester Warehouseman Sept 24 at 11 Bankruptcy bldg, Carey st  
 SPOOK, ANNIE, Stoke on Trent, Milliner Sept 19 at 2.30 North Stafford Hotel, Stoke on Trent  
 TAYLOR, THOMAS HENRY, Cannock, Staffs, Baker Sept 19 at 11 Off Rec, Wolverhampton  
 TAYLOR, WILLIAM MARSH, Scarborough as previously gazetted  
 TRAFANI, GIUSEPPE, Plymouth, Provision Merchant Sept 23 at 11 Off Rec, 6, Atholmount, Plymouth  
 WILKINSON, ERNEST STEPHEN, and GEORGE ASPIN, Kingston on Hull, Printers Sept 19 at 11 Off Rec, Trinity House in, Hull

## ADJUDICATIONS.

ATKIN, SOLOMON, Balsall Heath, Birmingham, Furnisher Birmingham Pet Aug 8 Ord Sept 4  
 BERRY, WILLIAM EDWARD, Bolton, Printer Bradford Pet Aug 24 Ord Sept 9  
 BUSBRIDGE, STEPHEN WILLIAM, and WILLIAM JAMES BUSBRIDGE, Birchington on Sea, Coal Merchants Canterbury Pet Aug 2 Ord Sept 8  
 BUTLER, FREDERICK GEORGE, Fareham, Hants, Tailor Portsmouth Pet Sept 5 Ord Sept 5  
 CHERRY, HENRY ERNEST, Walsall, Carpenter Birmingham Pet Sept 3 Ord Sept 5  
 CLELAND, MARY, Great Canfield, Essex Chelmsford Pet July 3 Ord Sept 6  
 CLEIST, CHARLES, Wandsworth Common, Grocer Wandsworth Pet Sept 9 Ord Sept 9  
 COWARD, HENRY, Mere, Wilts, General Dealer Salisbury Pet Sept 5 Ord Sept 5  
 DANIELS, CHARLES, Ipswich, Greengrocer Ipswich Pet Sept 8 Ord Sept 8  
 DAVIES, DAVID, Walthamstow, Draper High Court Pet Aug 20 Ord Sept 8  
 FLETCHER, THOMAS, Bolton, House Painter Bolton Pet Sept 9 Ord Sept 9  
 FROST, THOMAS, Bury, Stonemason Bolton Pet Sept 9 Ord Sept 9  
 GODRICKE, FANNY, Wickham, Hants, Flour Miller Portsmouth Pet Sept 8 Ord Sept 8  
 GOODWIN, ARTHUR, Yalding, Kent, Licensed Victualler Maidstone Pet Sept 9 Ord Sept 9  
 GRIFFITH, MARGARET, Belize rd Croydon Pet Sept 8 Ord Sept 8  
 GULLIVER, WILLIAM, Sparkbrook, Birmingham, Coal Merchant Birmingham Pet Aug 19 Ord Sept 6  
 HARGREAVES, WILLIAM THOMAS, Tootington sq High Court Pet Sept 10 Ord Sept 10  
 HENLEY, FRANK, Rhyader, Radnor, Solicitor's Clerk Newtown Pet Aug 19 Ord Sept 9  
 HENY, ALFRED CHARLES, Peterborough, Grocer Peterborough Pet Sept 9 Ord Sept 9  
 HET, STEPHEN, Burnley, Fishmonger Burnley Pet Sept 10 Ord Sept 10  
 HOWES, WALTER, Rushden, Northampton, Boot Manufacturer Northampton Pet Sept 9 Ord Sept 9  
 KEAL, WILLIAM JOHN, Wolverhampton, Corn Merchant Wolverhampton Pet Sept 4 Ord Sept 9  
 KEENAN, WILLIAM, Walthamstow, Innkeeper High Court Pet Sept 8 Ord Sept 8  
 KIRBY, GEORGE, Clapton High Court Pet July 29 Ord Sept 8  
 KNIGHT, EDITH ORCHILA ANNIE, Liverpool, Restaurant Proprietress Preston Pet Sept 8 Ord Sept 8  
 LEWIS, ROGER WILLIAM, Springfield, Carmarthen, Schoolmaster Carmarthen Pet Sept 8 Ord Sept 8  
 LISTER, WALTER, Beccord, Yorks, Grocer Kingston upon Hull Pet Sept 9 Ord Sept 9  
 LITTLEWOOD, HARRY BRANLEY, Kennington rd, Clerk Greenwich Pet Sept 9 Ord Sept 9

LORD, DANIEL THOMAS, Penarth, Glam, Builder Cardiff Pet Sept 9 Ord Sept 9  
 MCCRIE, EMILY SARAH, Maidstone Maidstone Pet Sept 10 Ord Sept 10  
 MARDEN, GEORGE, Iping, Sussex, Licensed Victualler Brighton Pet Sept 8 Ord Sept 8  
 MARRIOTT, ERNEST WATSON, Hereford, Cycle Agent Hereford Pet Sept 6 Ord Sept 6  
 NICHOLS, DAVID, Rochdale, Tobacconist Rochdale Pet Sept 10 Ord Sept 10  
 POPE, ALFRED, Cardiff, accountant Cardiff Pet Sept 8 Ord Sept 8  
 PORTER, JAMES STOKES, Poulton le Fylde, LANCS Preston Pet Aug 14 Ord Sept 8  
 ROWLEY, NEWTON LEWIS, Longton, China Manufacturer Longton Pet Aug 16 Ord Sept 10  
 SMITH, CHARLES FLUDEN, Southampton, Dairy Proprietor Southampton Pet Sept 9 Ord Sept 9  
 SMITH, WILLIAM THOMAS, Sheffield, Licensed Victualler Sheffield Pet Sept 8 Ord Sept 8  
 SUTCLIFFE, ARTHUR, Lancaster, Draper Preston Pet Sept 9 Ord Sept 9  
 THOMAS, RICHARD, Roseah, Devon, Farmer Barnstaple Pet Aug 1 Ord Sept 8  
 WARD, THOMAS, Leicester, Boot Manufacturer Leicester Pet Sept 9 Ord Sept 9  
 WARRING, JOHN GEORGE, Small Heath, Birmingham, Piano-forte Dealer Birmingham Pet July 25 Ord Sept 8  
 WHEELDON, CHARLES, New Normanton, Derby, Carter Burton on Trent Pet Sept 9 Ord Sept 9  
 WILLIAMS, EDWARD, Rhyll, Flint, Clerk Bangor Pet Sept 8 Ord Sept 8

London Gazette.—TUESDAY, SEPT. 16.

## RECEIVING ORDERS.

BALLMAN, JOHN, Exeter, Cab Driver Exeter Pet Sept 9 Ord Sept 9  
 BRADING, ALFRED THOMAS, St John's, nr Ryde, 1 of W, Camper Newport Pet Sept 13 Ord Sept 13  
 BROOMFIELD, B. Hastings, Butcher Hastings Pet Aug 28 Ord Sept 11  
 BRYAN, ALFRED, Portsmouth, Refreshment house Keeper Portsmouth Pet Sept 10 Ord Sept 10  
 COX, EMILY, Bognor, milliner Brighton Pet Sept 10 Ord Sept 10  
 CURTIS, ANNIE ELIZABETH, Birmingham, Butcher Birmingham Pet Sept 11 Ord Sept 11  
 DEAN-PITT, DOUGLAS CHARLES, Portsmouth Portsmouth Pet July 12 Ord Sept 8  
 DRAKE, THOMAS, Birmingham, Builder Birmingham Pet Sept 18 Ord Sept 13  
 DRIVER, JOHN HENRY, and ARTHUR DRIVER, Manchester, Corn Merchants Manchester Pet Aug 26 Ord Sept 10  
 GOODLUCK, ARTHUR, Loughborough, General Dealer Leicester Pet Sept 13 Ord Sept 12  
 HITCHCOCK, WILLIAM HENRY, Yeovil, Glover Yeovil Pet Sept 10 Ord Sept 10  
 HOFF, FREDERICK, Locominator, Butcher Locominator Pet Sept 12 Ord Sept 12  
 HORNFALL, OLIVER, Filey, Yorks, Printer Scarborough Pet Sept 12 Ord Sept 12  
 HOWES, FREDERICK, Broomfield, Butcher High Court Pet Sept 5 Ord Sept 10  
 JONES, WILLIAM, Upper Llandwrog, Quarry Labourer Bangor Edmonston Pet Sept 11 Ord Sept 11  
 LANDREMAN, WILLIAM DENNIS, Edmonston, Licensed Victualler Edmonston Pet Sept 11 Ord Sept 11  
 LINCOLN, FREDERICK SAMUEL, Norwich, Boot Manufacturer Norwich Pet Sept 11 Ord Sept 11  
 MITCHELL, A. M., Wisbech, Grocer High Court Pet June 13 Ord Sept 4  
 PIERCE, HENRY, Poplar, Colour Merchant High Court Pet Sept 12 Ord Sept 12  
 PLATTES, THOMAS, Wells next the Sea, Norfolk, Builder Norwich Pet Sept 12 Ord Sept 12  
 PRESTON, GEORGE WILLIAM, Atherton, Warwick, Boot Manufacturer Birmingham Pet Sept 13 Ord Sept 12  
 SAINT, GEORGE EDWARD, Darlington, Poultry Dealer Stockton on Tees Pet Sept 10 Ord Sept 10  
 STREETER, HENRY, Wandsworth, Commission Agent Birmingham Pet Sept 14 Ord Sept 12  
 TAYLOR, L. LEBERT, Wanshurst, Craybrook, Boarding-house Keeper Hastings Pet Aug 21 Ord Sept 11  
 TAYLOR, MARY, Peterborough, Licensed Victualler Peterborough Pet Sept 12 Ord Sept 12  
 THOMAS, EDWINER, Carmarthen, Baker Carmarthen Pet Sept 13 Ord Sept 12  
 THOMPSON, HENRY, Leeds, Commission Agent Leeds Pet Sept 11 Ord Sept 11  
 TUPPER, ERNEST DU SOLE, Grainsford, nr Billingham, Somerset, Farmer Brighton Pet Sept 13 Ord Sept 13  
 WELLS, FREDERICK LUTHER, Brockley Removal Contractor Greenwich Pet Sept 11 Ord Sept 11  
 WOLFE, LOUIS, Gool, Yorks, Boot Dealer Wakefield Pet Sept 8 Ord Sept 12

Amended notice substituted for that published in the London Gazette of June 13:

BROWN, JOHN, Croydon, Carter Croydon Pet May 28 Ord June 10

## ORDER RESCINDING RECEIVING ORDER, AND DISMISSING PETITION.

BLAKE, J. Duke st, St James' High Court Rec Ord April 15 Rescind Dis Sept 13

## FIRST MEETINGS.

ARNOLD, JOSEPH, Davanham, Cheshire, Grocer Sept 25 at 4.15 Royal Hotel, Crewe  
 BALLMAN, JOHN, Exeter, Cab Driver Oct 2 at 10.30 Off Rec, 18 Bedford circus, Exeter  
 BRYAN, ALFRED, Portsmouth, Refreshment house Keeper, Sept 24 at 3 Off Rec, Cambridge junc, High st, Portsmouth  
 BUTLER, FREDERICK GEORGE, Fareham, Hants, Tailor Sept 24 at 3 Off Rec, Cambridge junc, High st, Portsmouth

CHARLTON, WILLIAM, Newcastle on Tyne, Draper Sept 24 at 3 Off Rec, 25, John st, Sunderland  
 COX EMILY, Bournemouth, Milliner Oct 2 at 3.30 4, Pavilion bldg, Brighton  
 GRILL GEORGE HENRY, Nottingham, Furniture Remover Sept 23 at 11 Off Rec 4, Castle pl, Park st, Nottingham  
 GODRICKE, FANNY, Wickham, Hants Flour Miller 8-pt 23 at 4 Off Rec, Cambridge junc, High at Portsmouth  
 HART, JAMES CARTER, Hither Green, Kent, Traveller Sept 23 at 12.30 24, Railway app, London Bridge  
 HENY, ALFRED CHARLES, Peterborough, Grocer Sept 26 at 11.50 Law C up a, Peterborough  
 HOWARD, FREDERICK, Crews, Fruiters Sept 25 at 3.45 Royal Hotel, Orwe  
 KEAR, WILLIAM JOHN, Wolverhampton, Corn Merchant Sept 24 at 3 Off Rec, Wolverhampton  
 LANDREGAN, WILLIAM DENNIS, Edmonton, Licensed Victualler Sept 24 at 3 Room 160, Temple chmbrs, Temple av  
 LEIDER, WILLIAM, jun, Ponders End, Essex, Potato Merchant Sept 25 at 11.40 Law Courts, Peterborough  
 LEWIS, ROGER WILLIAM, Springfield, Carmarthen, Schoolmaster Oct 1 at 11 Off Rec 4 Queen st, Carmarthen  
 LISTER, WALTER, Bedford, York, Grocer Sept 23 at 11 Off Rec Trinity House in, Hull  
 LORD, DANIEL THOMAS, Penarth, Builder Sept 24 at 12 Off Rec, 117, St Mary st, Cardiff  
 MADDEN, GEORGE, Milland, Ipswich, Licensed Victualler Oct 2 at 3 4, Pavilion bldg, Brighton  
 OSBORN, HARRY, Chippingham, Wills, Grocer Sept 24 at 11.50 Off Rec, 26, Baldwin st, Bristol  
 PIPER, ERNEST and ALFRED PIPER, jun, Wood Green, Merchant Tailors Sept 24 at 12 160, Temple chmbrs, Temple av  
 POPE, ALFRED, Cardiff, Accountant Sept 23 at 11 Off Rec, 117, St Mary st, Cardiff  
 PORTER JAMES STEVE, Foulton le Fyde, Lancs Sept 23 at 10.30 Off Rec, 14, Chapel st, Preston  
 POTTER ARTHUR, Edgware rd, Picole Manufacturers Sept 25 at 11.30 24, Railway app London Bridge  
 RICHARDSON, GEORGE ARTHUR, Bradford, Builders' Merchant Sept 24 at 11 Off Rec, 31, Manor row, Bradford  
 ROTHWELL VINCENT HAROLD, Waterfoot, Lancs, Grocer Sept 23 at 11.15 Tow Hall, Rochdale  
 SMITH, CHARLES FREDERICK, Southampton, Dairy Proprietor Sept 23 at 3 Off Rec, 172 High st, Southampton  
 THOMPSON, HENRY, Leeds, Commission Agent Sept 23 at 11 Off Rec, 22, Park row, Leeds  
 TOMLINSON, JAMES WILLIAM, Heaton Norris, Lancs, Builders' Merchant Sept 23 at 11 Off Rec, County chmbrs, Market place, Stockport  
 TOMLOWSKY, ISRAEL PHILIP, and REUBEN TOMLOWSKY, Nottingham, Lace Merchants Sept 23 at 12 Off Rec, 4, Castle pl, Park st, Nottingham  
 VAUGHAN, ELIZABETH, Swanton, Nt Monmouth, Farmer Sept 24 at 11.30 Off Rec, Westgate chmbrs, Newport, Mon  
 WARD, THOMAS, Leicester, Boot Manufacturer Sept 23 at 12.50 Off Rec, 1 Berridge st, Leicester  
 WELLS, CHARLES ROBERT, Reading, Engineer Sept 24 at 12 95 Temple chmbrs, Temple av  
 WILLIAMS, SAMUEL CONDALL QUAY, Flint, Cycle Agent Sept 24 at 12 Crypt chmbrs, Bargegate row, Chester

## ADJUDICATIONS.

ALLPORT, FREDERICK PERCY ALEXANDER, Birmingham, Butcher Birmingham Pet Sept 4 Ord Sept 12  
 BAILLIE, JOHN, Exeter, Cab Driver Exeter Pet Sept 9 Ord Sept 9  
 BATHFORD, CHARLES, Birmingham, Iron Founder Birmingham Pet Sept 4 Ord Sept 12  
 CLARK, HENRY GLENN, Leeds, Printer Leeds Pet Aug 1 Ord Sept 12  
 CLARK, WILLIAM JOHN, Kentish Town High Court Pet Aug 7 Ord Sept 12  
 COX, EMILY, Bagnor, Milliner Brighton Pet Sept 10 Ord Sept 10  
 DAVIES, EDWARD JOSEPH, Glovener Mortimer, Grocer Kidderminster Pet Sept 4 Ord Sept 10  
 DRIVER, JOHN HENRY, and ARTHUR DRIVER, Manchester, Corn merchants Manchester Pet Aug 25 Ord Sept 13  
 DYER, THOMAS and HARRY WESTWOOD, Birmingham, Grocers Birmingham Pet Aug 19 Ord Sept 12  
 FELDMAN, EPHRAIM JACOB, Islington, Warehouseman High Court Pet July 22 Ord Sept 11  
 FRANKLIN, WILLIAM, Bromley, Builder Croydon Pet Aug 14 Ord Sept 9  
 GOODALE ARTHUR, Loughborough, General Dealer Leicester Pet Sept 19 Ord Sept 12  
 HART JAMES CARTER, Hither Green, Kent, Traveller Greenwich Pet Aug 13 Ord Sept 13  
 HILL WILLIAM, sen, Dracemfield, Derby, Farmer Derby Pet Aug 27 Ord Sept 12  
 HITCHCOCK WILLIAM GERRY, Yeovil Glover Yeovil Pet Pet Sept 10 Ord Sept 10  
 HOFF FREDERICK, Leominster, Butcher Leominster Pet Sept 12 Ord Sept 12  
 HODGKINS, OLIVER, Flby, Yorks, Printer Scarborough Pet Sept 12 Ord Sept 12  
 INGLES WILLIAM HUTTON, Kensington, Commission Agent High Court Pet Aug 11 Ord Sept 10  
 ISAAC, ISAAC, Sunderland, Cabinet Maker Sunderland Pet Aug 19 Ord Sept 12  
 JEFFERSON, MATTHEW, Water in, Lodgegate hill, Leather Merchant High Court Pet Aug 21 Ord Sept 11  
 JONES WILLIAM, Upper Llandow, Quarry Labourer B-nor Pet Sept 11 Ord Sept 11  
 LANDREGAN, WILLIAM DENNIS, Edmonton, Licensed Victualler Edmonton Pet Sept 11 Ord Sept 11  
 LINDSAY, FREDERICK SAMUEL, Norwich, Boot Manufacturer Norwich Pet Sept 12 Ord Sept 11  
 MADDEN, FRANK COLWYN BAY, Builder Bagnor Pet Aug 26 Ord Sept 12  
 PINKS, HENRY, Poplar, Colour Merchant High Court Pet Sept 12 Ord Sept 12  
 PLATTES, THOMAS, wals next the Sea, Norfolk, Builder Pet Sept 12 Ord Sept 12

PRESTON, GEORGE WILLIAM, Atherton, Warwick, Root Manufacturer Birmingham Pet Sept 13 Ord Sept 12  
 ROTHWELL, VINCENT HAROLD, Waterfoot, Lancs, Grocer Rochdale Pet Aug 12 Ord Sept 12  
 SAINT, GEORGE EDWARD, Darlington, Poultry Dealer Stockton on Tees Pet Sept 10 Ord Sept 10  
 SMITH, WILLIAM, Balham Wandsworth Pet July 15 Ord Sept 11  
 STEPHENS, HERBERT, Handsworth, Commission Agent Birmingham Pet Sept 12 Ord Sept 12  
 THOMAS, EBERHARD, Carmarthen, Baker Carmarthen Pet Sept 12 Ord Sept 12  
 THOMPSON, HENRY, Leeds, Commission Agent Leeds Pet Sept 11 Ord Sept 11  
 TOMLINSON, JAMES WILLIAM, Heaton Norris, Lancs.

Builders' Merchant Stockport Pet Sept 8 Ord Sept 11  
 TOTTIE, JOHN HENRY, Manchester, Cabinet Maker Manchester Pet July 17 Ord Sept 13  
 WELLS, FREDERICK LUTHER, Brockley, Removal Contractor Greenwich Pet Sept 11 Ord Sept 11  
 WILLIAMS, SAMUEL, Connaught Quay, Flint, Cycle Agent Chester Pet Aug 27 Ord Sept 11  
 WOLFE, LOUIS, Gole, Yorks, Boot Dealer Wakefield Pet Sept 8 Ord Sept 12  
 Amended notice substituted for that published in the London Gazette of Aug 12:  
 JOHNS, SAMUEL, Wallingford, Architect Reading Pet Aug 6 Ord Aug 6

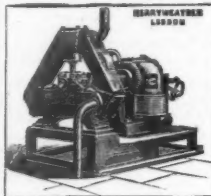
## MERRYWEATHERS'

COMBINATION OF APPARATUS FOR

FIRE PROTECTION,

ELECTRIC LIGHTING,

and WATER SUPPLY.



Three purposes provided for at One Minimum Cost.

Experienced Engineers sent to Survey at Mansions, Estates, and Villages.

## MERRYWEATHERS' PORTABLE FIRE APPARATUS FOR INDOOR PROTECTION.

"London Brigade" Hand Fire Pump - £5 5 0

(With which one person can attack a fire unaided, and by which the majority of the London fires which occur annually are extinguished)

"Chute" Fire Escapes, from - £5 0 0

Hydrant Systems, from - £30 0 0

Pressure Augmenters for High Buildings where water service is at low pressure.

SPECIAL SPRINKLERS FOR LIFT SHAFTS.

Write for Pamphlets, post-free.

MERRYWEATHERS', 63, Long Acre, W.C., LONDON.



## GENERAL REVERSIONARY AND INVESTMENT COMPANY, LIMITED.

No. 26 Pall Mall, London, S.W.

(REMOVED FROM 5 WHITEHALL)

Established 1836, and further empowered by Special Act of Parliament, 14 &amp; 15 Vict. c. 130.

Share and Debenture Capital ... £619,870.

Reversions Purchased on favourable terms. Loans on Reversions made either at annual interest or for deferred charges. Policies Purchased.

## EQUITABLE REVERSIONARY INTEREST SOCIETY, Limited.

10, LANCASTER PLACE, STRAND, W.C.

ESTABLISHED 1836. CAPITAL, £500,000.

Reversions and Life Interests in Landed or Funded Property or other Securities and Annuities PURCHASED or LOANS granted thereon.

Interest on Loans may be Capitalized.

C. H. CLAYTON, Joint

F. H. CLAYTON, Secretaries.

## THE REVERSIONARY INTEREST SOCIETY, LIMITED

(ESTABLISHED 1836)

Purchase Reversionary Interests in Real and Personal Property, and Life Interests and Life Policies, and Advance Money upon these Securities.

Paid-up Share and Debenture Capital, £637,725.

The Society has moved from 17, King's Arms-yard to 30, COLEMAN STREET, E.C.

## 19th CENTURY BUILDING SOCIETY, ADELAIDE PLACE, LONDON BRIDGE, E.C.

CHAIRMAN:

SIR HENRY WALDEMAR LAWRENCE, BART., 3, Mitre-court-buildings, Temple, E.C.

Prompt and Liberal Advances to Purchase, Build, or Improve Freehold, Leasehold, or Copyhold Property.

Interest for Loans Reduced to 4 1/2 per Cent.

Preference Shares £10 each; Interest 4 1/2 per Cent.

Deposits received at 3, 3 1/2, and 4 per Cent.

Prospectus free of

FREDERICK LONG, Manager.

PHENIX ASSURANCE CO., Ltd.

## PHENIX FIRE OFFICE, ESTABLISHED 1783.

19, Lombard Street, &amp; 57, Charing Cross, London.

Lowest Current Rates.

Liberal and Prompt Settlements.

Assured free of all Liability.

Electric Lighting Rules supplied

## EGYPTIAN HALL.—England's Home of Mystery. Established 29 years. Lessee and Manager, Mr. J. N. MASKELYNE.

Performances Daily, at 3 and 8.

The Premier Magical Entertainment of the World.

Inimitable, consequently unique.

The Programme will include the famous magical Romance, THE ENCHANTED FAKIR, in which Mr. Maskelyne and his entire company will appear.

New Wonders. By Herr Valadon.

All the gems of Animated Photography, including the finest and most interesting pictures of the coronation.

Reserved and numbered seats, 5s. and 3s. Unreserved seats, 2s. The best balcony in London, 1s. Children under 12 half-price

## MADAME TUSSAUD'S EXHIBITION (in connection with Trains and Buses from all parts).

Open at 9 a.m.

CORONATION CELEBRITIES!

CORONATION CELEBRITIES!

PORTRAIT MODELS OF

HIS MAJESTY KING EDWARD VII, HER MAJESTY QUEEN ALEXANDRA, and other MEMBERS of the ROYAL FAMILY, &amp;c., &amp;c.

CORONATION CELEBRITIES!

CORONATION CELEBRITIES!

H.I.M. the SHAH OF PERSIA.

Viscount KITCHENER, Lord MILNER, General FRENCH, Generals DE WET, DE LA REY, and BOGHA, &amp;c., &amp;c. Ex-Presidents STACYN and KRUGER.

Hall of Tables containing

Historical, Naval, Military, and other Reproductions of Delightful Music all Day. Orchestral Performances, Madame Tussaud's Rummage Band.

Afternoon Tea in New Restaurant.

Up-to-Date Additions. New Attractions. Admission, 1s.; Children under 12, 6d. Extra Rooms, 6d. MADAME TUSSAUD'S EXHIBITION.